

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49508 of 2019

Arising Out of PS. Case No.-263 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. RAJENDRA CHOUDHARY Son of Satan Choudhary, Resident of Village - Itawa, P.S.- Rousanganj, Distt - Gaya.
 2. Dilchand Choudhary Son of Satan Choudhary Resident of Village - Itawa, P.S.- Rousanganj, Distt - Gaya.
 3. Guddu Choudhary Son of Rajendra Choudhary Resident of Village - Itawa, P.S.- Rousanganj, Distt - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Kumari Santosh Kumar D/o-Chando Mahto, R/o Vill-Itawa P.S.- Rasonganj, Distt-Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Narayan Jamuar
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Complaint Case No.263 of 2018 registered for offence punishable under sections 323, 379 of the Indian Penal Code and 3/4 of Prevention of Witch (Daain) Practices Act, 1999.

Allegation has been made that the accused persons entered into the house of the informant and started calling her daain and also assaulted with fists and slaps.

The learned counsel for the petitioners submits that already there is a dispute between the parties with respect to the



land and on that account, this false case has been instituted against the petitioners. The alleged incident has taken place on 14.05.2018, but the complaint has been filed on 17.05.2018 and before that on account of land dispute, the notice was served upon the informant.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 2nd Class, Sherghati, Gaya/Successor Court in connection with Complaint Case No. 263 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Shivaji Pandey, J)

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