

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50825 of 2019

Arising Out of PS. Case No.-292 Year-2015 Thana- BELHAR District- Banka

1. PHULESHWAR PANDIT, aged about 48 years, M, Son of Late Shukh Dev Pandit
 2. Shiv Kumar Pandit @ Shiv Kumar, aged about 24 years, M, Son of Phuleshwar Pandit
 3. Mala Devi @ Jay Mala Devi, aged about 43 years, F, W/o Shiv Kumar Pandit @ Shiv Kumar
 4. Manju Devi @ Jay Mala Devi, aged about 22 years, F, W/o Phuleshwar Pandit
- All are resident of Village - Tilakpur, P.S.- Belhar, Dist.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-08-2019 Heard both sides.

The petitioners apprehend their arrest in Belhar P.S.

Case No.292 of 2015 registered under Sections 341, 323, 379, 504 and 34 of the Indian Penal Code and Sections 3 and 4 of Prevention of Witch(Daain) Practices Act.

The informant named the petitioners and alleged that they abused the informant and also called her witch and assaulted the informant. The accused persons took away different articles from the possession of the informant and others.

The learned counsel for the petitioners submits that



during the course of investigation, the petitioners were noticed by the investigating officer and petitioners were asked to appear in Court. Police officer did not require custodian interrogation from the petitioners. It is submitted that since cognizance under Section 3 and 4 of Prevention of Witchcraft Act is also taken, the petitioners apprehend their arrest. Petitioners are agnates of the husband of the informant and on account of some petty family dispute, occurrence took place.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No.292 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

