

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51030 of 2019

Arising Out of PS. Case No.-112 Year-2019 Thana- MADANPUR District- Aurangabad

1. Chandan Kumar, aged about 19 years, Sex-Male, S/o Surendar Rikiyasan @ Surendra Bhuinya, R/o village- Mainbigaha, P.S.- Madanpur, District- Aurangabad.
2. Kundan Kumar, aged about 20 years, Sex-Male, S/o Surendar Rikiyasan @ Surendra Buinya, R/o village- Mainbigaha, P.S.- Madanpur, District- Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mrs. Rupa Kumari and Mr.Yugal Kishore,
Advocates.

For the Opposite Party : Mr.Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-08-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are languishing in custody since
22.05.2019 in a case for the offence registered under Sections
302/34 of the IPC and $\frac{3}{4}$ of Witch Prohibition Act.

The prosecution story, in brief, is that on 21.05.2019
at about 10.30, the husband of the informant was sleeping in the
house, in the meantime, the petitioners alongwith other co-
accused persons having *Lathi*, *Danda* and *Iron rod* in their



hands, came and started abusing him. When the accused persons were forbade by her husband then he was assaulted by the accused persons and sustained injury on his head and fell down. Thereafter, accused persons continued assaulting. The husband of the informant died on the spot. Cause of the incidence is that in the last night, the father of Dinesh Bhuiyan died due to disease but the accused persons were blaming that Dinesh Bhuiyan died due to *Witch* and *Bhoot* that is why they have assaulted him.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. General and omnibus allegation has been made against the petitioners. No specific injury is attributed against the petitioners. Weapons used in the occurrence are Lathi, Danda and Iron rod.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties



of the like amount each to the satisfaction of the learned C.J.M.
Aurangabad, in connection with Madanpur P.S. Case No. 112 of
2019, G.R. No. 891 of 2019.

U.K./-

(Sudhir Singh, J)

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