

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57031 of 2019

Arising Out of PS. Case No.-244 Year-2018 Thana- SIKARPUR District- West Champaran

1. BAKRID GADDI Son of Hakim Gaddi
2. Idrish Gaddi Son of Salim Gaddi
3. English Gaddi Son of Salim Gaddi
4. Islam Gaddi Son of Salim Gaddi
5. Sukat Gaddi Son of Salim Gaddi
6. Salim Gaddi Son of Late Jokhan Gaddi
7. Hakim Gaddi Son of Late Jokhan Gaddi

All Residents of Village-Pachamwa Odarwa, P.S-Shikarpur, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2019 The petitioners apprehend their arrest in connection with Shikarpur P. S. Case No. 244 of 2018 registered under Sections 141,323,324,341,354,379,504 and 506 of the Indian Penal Code and 3 and 4 of the Prevention of Witch (Dain) Practices Act, 1999.

Allegation against the petitioners is that on 05.06.2018, while the informant was sitting at his door then co-sharers i.e., petitioner no. 6 came there and started abusing his wife and called her *Dain* and upon objection being raised by the informant, petitioner no. 1 dragged his wife by holding her hairs



and tore her cloth. It has further been alleged that one Nasarullah caused injury in the right hand of the informant by means of rod. Petitioner no. 4 assaulted the informant by means of butt of country made pistol and other accused persons assaulted the informant by means of *lathi* etc.

Learned counsel appearing on behalf of the petitioners submits that both parties are co-sharers and there is previous enmity between them inasmuch as Shikarpur P.S.CASe No. 342 of 2017 was filed by petitioner no. 3 against the informant and others under Sections 323,324,341,379 and 504/34 of the Indian Penal Code. Learned counsel further relying upon Annexure-3 series, which is injury report of the informant submits that injury caused to the informant has been found to be simple in nature.

After having heard learned counsel for the parties and taking into consideration the fact that both parties are related to each other and there is previous enmity between them and injury caused to the informant is simple in nature, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on



bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned CJM, West Champaran at Bettiah in connection with Shikarpur P.S.Case No. 244 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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