

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82421 of 2019

Arising Out of PS. Case No.-216 Year-2019 Thana- MANIYARI District- Muzaffarpur

1. Pradip Ram @ Kodai Ram, aged about 56 years (Male), S/o Kishundeo Ram, R/o village- Amrakh, P.S.- Maniyari, District- Muzaffarpur.
2. Ranjit Ram, aged about 52 years, (Male), S/o Kishundeo Ram, R/o village- Amrakh, P.S.- Maniyari, District- Muzaffarpur.
3. Uday Ram @ Uday Kumar, aged about 28 years (Male), S/o Pradip Ram, R/o village- Amrakh, P.S.- Maniyari, District- Muzaffarpur.
4. Ajay Ram, aged about 26 years (Male), S/o Pradip Ram, R/o village- Amrakh, P.S.- Maniyari, District- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Alok Kumar Alok, Advocate.
For the Opposite Party : Mr.Uma Shankar Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 307, 323, 379/34 of the IPC and $\frac{3}{4}$ of the Dyne Act.

The prosecution story, in brief, is that at about 11.00 P.M. on 21.08.2019, co-accused Kailash Paswan was doing some work of exorcism on the door of petitioner no. 3 and various persons of the locality were present there. The informant also went there. In that course, petitioner no. 3 caught hold the



informant and dragged herself to Kailash Paswan. On instruction of Kailash Paswan, she was beaten merciless due to which she became unconscious. On 22.08.2019 at about 8.00 A.M. petitioners and co-accused Abhay Ram came at her door and started cutting hairs of the informant claiming herself to be a Dyne(witch) and petitioner no. 4 poured dirty soil in her mouth and took away her *Jitiya* from her neck and assaulted. Petitioner no. 1 and his sons asked her for going away from the village. The family members of the informant and local persons came there and she could save. The matter was not reported within time as she was under treatment.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is case and counter case between the parties. No injury is alleged to have been caused. No offence under Section 307 of the IPC is made out. Free fight is alleged to have taken place between the parties.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let



the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 J.M. Ist Class, Muzaffarpur, in connection with Maniyari P.S. Case No. 216 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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