

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79312 of 2019

Arising Out of PS. Case No.-219 Year-2019 Thana- KARAHGAR District- Rohtas

1. Bhuwan Ranjan Patel @ Tappu Son of Indradev Choudhary Resident of Village - Lakhanpura, P.S.- Kargahar, District- Rohtas
2. Indradev Choudhary Son of Late Bishwanath Choudhary Resident of Village - Lakhanpura, P.S.- Kargahar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 342, 324, 307 and 504/34 of the IPC and Section 3/4 of the Prevention of Witch Practices Act.

It is alleged that on 29.08.2019 at about 5.30 P.M., petitioner no.1 assaulted the mother of the informant with farsa and petitioner no.2 assaulted the mother of the informant with iron rod treating her as a witch.

It is submitted by learned counsel for the petitioners that there was some dispute between the parties from before and in



that background the petitioners have been roped in the present case. It is further submitted that there is counter version of the occurrence also, being Kargahar P.S. Case No. 225 of 2019 lodged by the petitioners' side against the informant's side. Moreover, from the impugned order, it appears that the injury of the informant's side has been found to be simple and there is no accusation of repeating blow against the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the fact that accusation of assault has been levelled in the background of dispute from before and the impugned order suggests the injury of the informant's side to be simple, coupled with the fact that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail for six months in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-3, Sasaram, Rohtas in connection with Kargahar P.S. Case No. 219 of 2019, subject to



the condition as laid down under Section 438(2) of the Cr. P.C.

The provisional bail of the petitioner will be confirmed by the learned Court below on verification of the fact that the injury of the informant's side has been found simple. If the learned Court below comes to the conclusion that the injury of the informant's side is grievous, in that event, the petitioner will surrender before the learned Court below and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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