

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16198 of 2020

Arising Out of PS. Case No.-295 Year-2019 Thana- DUMRA District- Sitamarhi

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KAVITA KUMARI @ KAVITHA KUMARI D/o Nagendra Singh R/o
Village-Hari Chapra, P.S.-Dumra, District-Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Jha
For the Informant	:	Mr. Santosh Kumar
For the Opposite Party/s	:	Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in Dumra P.S.
Case No. 295 of 2019, registered for the offences punishable
under Sections 147, 148, 149, 323, 447, 448, 324, 307, 504,
379, 354(B) and 506 of the Indian Penal Code and section 3/4 of
the Prevention of Witch Craft Act.

Prosecution case in brief is that on 31.07.2019, while
the informant was sleeping in her house, the accused persons
including this petitioner came there and started abusing her.



When the informant came out of her house they called her Dyne and stated that she had committed sorcery on their father and tried to catch her. When the informant and her son tried to escape, the accused persons torn her clothes and she became naked. When the informant's son tried to save her, all the accused persons also assaulted him. The accused persons also took away cash and other belongings of the informant. It is further alleged that on 02.08.2019 at 12.30 pm, when the informant was returning to her house, all the accused persons surrounded her and this petitioner is alleged to have assaulted the informant by means of Farsa causing injury on her right arm.

It is submitted that petitioner has been falsely implicated in this case. Both parties are close relatives. There is case and counter case. The present case is counter blast of Dumra P.S. Case No. 294 of 2019 which was lodged by Urmila Devi against this informant, her husband and son. Moreover, injuries caused to the informant is simple in nature. Petitioner has got clean antecedent as stated in para 3 of the bail petition.

Considering the facts aforesaid, the petitioner above-named, in the event of her arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, is directed to be



enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 295 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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