

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13537 of 2020

Arising Out of PS. Case No.-69 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. SHIVAM RAM Son of Yogendra Ram Resident of Village - Sursand, P.S.- Pupri - Sub Division, Distt.- Sitamarhi.
 2. Suraj Ram Son of Yogendra Ram Resident of Village - Sursand, P.S.- Pupri - Sub Division, Distt.- Sitamarhi.
 3. Jhagru Ram Son of Yogendra Ram Resident of Village - Sursand, P.S.- Pupri - Sub Division, Distt.- Sitamarhi.
 4. Mani Ram Son of Jhagru Ram Resident of Village - Sursand, P.S.- Pupri - Sub Division, Distt.- Sitamarhi.
 5. Sunita Devi W/o Jhagru Ram Resident of Village - Sursand, P.S.- Pupri - Sub Division, Distt.- Sitamarhi.
 6. Ram Sundar Devi Son of Yogendra Ram Resident of Village - Sursand, P.S.- Pupri - Sub Division, Distt.- Sitamarhi.
 7. Savitri Devi W/o Shivam Ram Resident of Village - Sursand, P.S.- Pupri - Sub Division, Distt.- Sitamarhi.
 8. Sumitra Devi W/o Suraj Ram Resident of Village - Sursand, P.S.- Pupri - Sub Division, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kusumi Devi W/o Ramsresth Ram Resident of Village - Sursand, P.S.- Pupri - Sub Division, Distt.- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For
Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned



APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 341, 342, 323, 354(B), 379 and 452 of the Indian Penal Code and Sections 3 & 4 of Witch Craft (Dian) Practices Act.

Allegedly, all the accused persons having entered the house of the complainant, took her on road and started abusing and assaulting her by calling Dian. It is also alleged that her clothes was torn and she was administered night soil in her mouth. When the family members of the complainant came to rescue her, they were assaulted by the accused persons.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. Petitioner Nos. 5, 6, 7 & 8 are ladies. Due to land dispute, the present complaint case has been filed. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case.

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

Considering the aforesaid facts and circumstances of the



case and also the lockdown, 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 their personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Complaint Case No. 69 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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