

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29140 of 2020

Arising Out of PS. Case No.-105 Year-2020 Thana- BARGAINIA District- Sitamarhi

1. Ram Vinay Prasad And Anr. S/O Madhoji Prasad R/O Village-Musachak, P.S.-Bairgania, Distt.-Sitamarhi.
2. Rakesh Prasad @ Rakesh Kumar S/O Sadhoji Prasad @ Sadhu Ji Prasad R/O Village-Musachak, P.S.-Bairgania, Distt.-Sitamarhi.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Alok Kumar Alok, Addl Public Prosecutor
For the Opposite Party : Mr. Ajay Kr. Jha, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-12-2020 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State through Video conferencing.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 323 and other allied sections of the Indian Penal Code as well as sections 3/4 of the Witchcraft Practices Prohibition Act.

Petitioners and other accused persons are alleged to have assaulted the informant and administered her night soil calling her witch.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been



implicated in this case due to dirty village politics. Petitioner no.2 is cousin brother of petitioner no.1 and both parties are co-villagers and there is dispute between them. There is no injury report on the record. Petitioners have got no criminal antecedent.

Considering the facts of the case, in the event of arrest/surrender, let the petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Bairgania Police Station Case No. 105/2020 from the Court of Chief Judicial Magistrate, Sitamarhi, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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