

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84137 of 2019

Arising Out of PS. Case No.-47 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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HARISH RAM Son of Late Bisheshwar Ram @ Late Baleshwar Ram,
Resident of Village - Morsand Bahadurpur, P.S.- Samastipur Muffasil, Distt -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-06-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Samastipur Muffasil P.S. Case No.47 of 2019 registered under Sections 341, 323, 354, 307, 448, 504, 506 and 34 of the Indian Penal Code and under Sections 3 and 4 of the Witchcraft Act.

The informant named the petitioner and his family members and alleged that they all assaulted the informant with lathi and iron rod. Petitioner is alleged to have assaulted the informant with iron rod on her head causing injury on the head of the informant.

Learned counsel for the petitioner submits that the petitioner called the informant witch but on account of land dispute, the entire occurrence took place. The injuries are



superficial and simple in nature. The petitioner has got no criminal antecedent.

Learned A.P.P., however, opposed the prayer for anticipatory bail.

It appears that the informant named the petitioner and his family members and alleged that they after calling her witch assaulted the informant. The petitioner is alleged to have assaulted the informant with iron rod on her head. From perusal of the injury report, it appears that one lacerated wound on left parietal region, one bruise on left arm and another on left scapular region were found and the injuries are superficial and simple in nature.

Having considered the facts and the nature of allegations made against the petitioner and the fact that the occurrence appears to have taken place on account of land dispute in which the informant sustained superficial and simple injury, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four 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 learned A.C.J.M. V,



Samastipur in connection with Samastipur Muffasil P.S. Case
No.47 of 2019, subject to conditions as laid down under Section
438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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