

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33570 of 2020

Arising Out of PS. Case No.-328 Year-2018 Thana- BANKA District- Banka

SUMAR YADAV Son of Ramjiwan Yadav Resident of Village- Maharajganj,
P.S.- Banka, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-03-2021 Heard Mr. Brij Nandan Prasad, learned
counsel for the petitioner and Mr. Ram Priya Sharan
Singh, learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Banka P.S. Case No. 328 of
2018 dated 12.05.2018 instituted for the offences under
Sections 147, 149, 323, 379, 354(B), 504 and 506 of
the Indian Penal Code and Sections 3/4 of the
Witchcraft Act.

The informant is alleged to have been
subjected to ill-treatment on account of suspicion against
her for practicing witchcraft. The petitioner is said to
have tugged the wearing apparel of the informant. Some
personal belongings of the informant and of her rescuers
also are said to have been taken away.



Learned counsel for the petitioner has submitted that on same set of facts, the other accused persons of this case have been granted anticipatory bail by the court below.

Apart from this, it has been submitted that the petitioner and the informant are neighbours and their families have been at logger-heads on different issues and this case is only a fall out of that dispute. The accusation in the FIR, it has been urged, has been made only to add serious colour to the case.

No injury has been received by anyone of the victims.

Considering the aforesaid facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 328 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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