

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3765 of 2021

Arising Out of PS. Case No.-506 Year-2020 Thana- SASARAM NAGAR District- Rohtas

1. RAMASHRAY PAL S/O ANIRUDHA PAL RESIDENT OF VILLAGE-BHADOKHARA, P.S.- DARIGAON DISTRICT-ROHTAS SASARAM
2. SURESH PAL S/O ANIRUDHA PAL RESIDENT OF VILLAGE-BHADOKHARA, P.S.- DARIGAON DISTRICT-ROHTAS SASARAM
3. DINESH PAL S/O ANIRUDHA PAL RESIDENT OF VILLAGE-BHADOKHARA, P.S.- DARIGAON DISTRICT-ROHTAS SASARAM
4. DEV ASHRAY PAL S/O ANIRUDHA PAL RESIDENT OF VILLAGE-BHADOKHARA, P.S.- DARIGAON DISTRICT-ROHTAS SASARAM
5. WARTI DEVI @ BARTI DEVI W/O RAMASHRAY PAL RESIDENT OF VILLAGE-BHADOKHARA, P.S.- DARIGAON DISTRICT-ROHTAS SASARAM
6. JANAM PAL @ RAM JANAM PAL S/O LATE SWARUPI PAL RESIDENT OF VILLAGE-BHADOKHARA, P.S.- DARIGAON DISTRICT-ROHTAS SASARAM

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-12-2021 Heard Mr. Babu Nandan Prasad, learned Advocate for the petitioners and Mr. Ram Sevak Choudhary, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Sasaram (Darigaon) P.S. Case No. 506 of 2020 dated 13.08.2020 instituted for the offences under Sections 341, 448, 323, 355, 354, 427/34 of the Indian Penal Code and Sections 3/4 of



the Prevention of Witch (Daain) Practices Act, 1999.

The accusation against the petitioners is of having assaulted the female members of the house of the informant on suspicion of their practicing witchcraft.

Learned counsel for the petitioners has submitted that there is a counter version of the occurrence and the parties are agnates.

He has further submitted that the injuries suffered by the victims are all simple in nature.

Notwithstanding the aforesaid arguments, I am not inclined to grant anticipatory bail to petitioners no. 1 to 4 and 6 for the reason of the severe nature of accusation against them.

Accordingly the prayer for anticipatory bail of petitioners no. 1 to 4 and 6 is rejected.

However, if they surrender before the court below and seek bail, their applications shall be considered on their own merits without being prejudiced by the fact that the present petition on their behalf has not been entertained.

Since there is nothing specifically alleged against the petitioner no. 5 (Warti Devi @ Barti Devi) and taking into account her gender, she is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks



from the date of receipt/production of a copy of this order, on her furnishing bail 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, Rohtas at Sasaram in connection with Sasaram (Darigaon) P.S. Case No. 506 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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