

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5874 of 2021

Arising Out of PS. Case No.-255 Year-2020 Thana- DHURAIYA District- Banka

1. BASUDEV DAS Son of Ugdev Das Resident of Village - Motanga, P.S.- Dhuraiya, District - Banka
2. Pinku Devi @ Pinki Devi Wife of Basudev Das Resident of Village - Motanga, P.S.- Dhuraiya, District - Banka
3. Sintu Das Son of Basudev Das Resident of Village - Motanga, P.S.- Dhuraiya, District - Banka
4. Ramesh Das @ Ramesh Kumar Son of Basudev Das Resident of Village - Motanga, P.S.- Dhuraiya, District - Banka
5. Pappu Das Son of Ram Prasad Das Resident of Village - Motanga, P.S.- Dhuraiya, District - Banka
6. Sant Lal Das @ Santlal Das Son of Ugdev Das Resident of Village - Motanga, P.S.- Dhuraiya, District - Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra, Advocate
Mr. Md. Nurul Hoda, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-11-2021 Heard Mr. Satish Chandra Mishra, learned Advocate for the petitioners and Mr. Dashrath Mehta, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Dhuraiya P.S. Case No. 255 of 2020 dated 27.09.2020 instituted for the offences under Sections 454, 380, 504, 506 and 34 of the Indian Penal



Code and under Sections 3/4 of the (Dian) Witchcraft Act.

The accusation against the petitioners is of having insinuated at the wife of the informant for practicing witchcraft and the members of the prosecution party were also abused and assaulted.

It has been submitted on behalf of the petitioners that the informant is the own brother of the petitioners no. 1 and 6, whereas the petitioners no. 2 to 5 are close family relations. The accusation is absolutely vague and general. No date and time of the occurrence has been stated in the FIR.

The learned counsel for the petitioner, therefore, submits that on account of dispute between the two families, the aforesaid subject FIR has been lodged.

For the reasons aforestated, the petitioners are directed to be released on bail, in the event of their 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 their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 255 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

