

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2618 of 2022

Arising Out of PS. Case No.-230 Year-2021 Thana- HARSIDHI District- East Champaran

1. MAMATA DEVI @ GITA DEVI W/o Harendra Sah Resident of Village- Paithanpatti, Police Station- Harsidhi, District- East Champaran.
2. MEWA LAL SAH Son of Kudal Sah Resident of Village- Paithanpatti, Police Station- Harsidhi, District- East Champaran.
3. PUNNI SAH @ PUNNI LAL SAH S/o Mahabir Sah @ Mahendra Sah Resident of Village- Paithanpatti, Police Station- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-09-2022 Vide order dated 02.08.2022, the petition of petitioner no.1, namely, Mamta Devi @ Gita Devi has already dismissed as withdrawn.

Heard learned counsel for the petitioners no.2 and 3 and learned APP for the State and perused the case diary.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 341, 324, 354, 307, 379 and 504/34 of the Indian Penal Code and Sections 3/4 of the Prevention of Witch (Daain) Practice Act, 1999.

The petitioners levelled allegation of witchcraft



against the mother of the informant and further on that basis they assaulted upon them.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that from perusal of the injury report, which is mentioned in para-22 of the case diary, it appears that the injuries are simple in nature. Petitioners have got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioners, namely, Mewa Lal Sah and Punni Sah @ Punni Lal Sah in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 230 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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