

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6162 of 2022

Arising Out of PS. Case No.-100 Year-2020 Thana- CHIRAIYA District- East Champaran

1. MAHANTH RAI Son of Late Lochan Rai Resident of Village - Mandilva, P. S.- Chiraiya, Distt.- East Champaran.
2. Ranjeet Rai Son of Raj Kumar Rai @ Raj Kumar Yadav Resident of Village - Mandilva, P. S.- Chiraiya, Distt.- East Champaran.
3. Shiv Kali Devi W/o Raj Kumar Rai @ Raj Kumar Yadav Resident of Village - Mandilva, P. S.- Chiraiya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 379, 307, 504 and 34 of the Indian Penal Code read with Sections 3/4 of the Prevention of Witch (DAAIN) Practices Act.

The informant alleges that Mahanth Rai assaulted the informant by *farsa* causing injury on his head, thereafter Ranjit assaulted informant's wife with *farsa* causing injury on finger and Shiv Kali Devi assaulted by *lathi*, leg and fist and called the informant's wife a witch as her children used to get ill because



of her.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and from perusal of the allegations as alleged in the F.I.R. it would manifest that on account of dispute relating to illness of children, the present case came to be instituted in which both sides assaulted each other and from side of the petitioner Chiraiya P.S. Case No. 102 of 2020 was instituted (Annexure-2 to the anticipatory bail application) in which even from the side of the petitioner people suffered injury, it is next submitted that though allegation of assault is there but then injuries are simple in nature suffered by the injured from the side of the present informant and the blows were also not repeated and it is submitted that admittedly the petitioners are not criminals.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned court below where
the case is pending/successor court in connection with Chiraiya
P.S. Case No. 100 of 2020 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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