

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9961 of 2022

Arising Out of PS. Case No.-77 Year-2021 Thana- BHEJA District- Madhubani

1. LAXMAN YADAV Son of Shibu Yadav Resident of Village- Karhara, P.S.- Bheja, District- Madhubani.
2. Anil Yadav Son of Debu Yadav Resident of Village- Karhara, P.S.- Bheja, District- Madhubani.
3. Sagun Yadav Son of Rabi Yadav Resident of Village- Karhara, P.S.- Bheja, District- Madhubani.
4. Asha Devi W/o Amarjeet Yadav Resident of Village- Karhara, P.S.- Bheja, District- Madhubani.
5. Debu Yadav Son of Palat Yadav Resident of Village- Karhara, P.S.- Bheja, District- Madhubani.
6. Devkala Devi W/o Sibbu Yadav Resident of Village- Karhara, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat
For the Opposite Party/s : Mr.Nand Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 12-09-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Bheja P.S. Case No. 77 of 2021, registered for the offences punishable under Sections 341, 323, 354(B), 379, 506/34 of the



Indian Penal Code as well as under Section 3/4 of Prevention of Witch Practices Act.

As per allegation, when the informant Meera Devi was going to ease herself, the petitioners came there and levelled allegation that she is a witch and she was inflicting some supernatural powers due to which the children of the petitioners are facing ailments. There is allegation against petitioner no. 5 that he ordered to forcibly administer human droppings to the informant. Thereupon, the petitioner no. 4 forcibly put human droppings in the mouth of the informant.

Learned counsel for the petitioner has submitted that the petitioners are innocent and have falsely been implicated in this case. He has submitted further that both the parties are at litigating terms and a number of litigation are pending between the parties. He has also submitted that on 20.08.2021, Sunita Devi, wife of petitioner no. 1 has lodged a case against the family members of the informant.

There is heinous allegation against petitioner Nos. 5 and 4. As such, they do not deserve the privilege of anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioner Nos. 4 and 5 is **rejected**.

So far as rest petitioners are concerned, let them, in



the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist, Jhanjhanpur, Madhubani in connection with Bheja P.S. Case No.77 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

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(Nawneet Kumar Pandey, J)

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