

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29329 of 2022

Arising Out of PS. Case No.-195 Year-2021 Thana- HARSIDHI District- East Champaran

1. Om Prakash Prasad Son Of Motor Prasad Resident Of Village - Padariya, P.S.- Harsidhi, District - East Champaran.
2. Madan Prasad Son of Sukhlal Prasad Resident of Village - Padariya, P.S.- Harsidhi, District - East Champaran.
3. Ajit Narayan Prasad Son of Motor Prasad Resident of Village - Padariya, P.S.- Harsidhi, District - East Champaran.
4. Rajmati Devi Wife of Motor Prasad Resident of Village - Padariya, P.S.- Harsidhi, District - East Champaran.
5. Dilip Prasad @ Dilip Kumar Kushwahan Son of Motor Prasad Resident of Village - Padariya, P.S.- Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 341, 323, 324, 307, 379, 504/34 of the Indian

Penal Code and Section 3/ 4 of the Prevention of Witch

Practices Act.

The prosecution case as per F.I.R is that all the



F.I.R named accused persons including petitioners entered into the house of the informant and started abusing by calling wife of the informant as witch and when the informant raised objection, the accused persons assaulted the informant and his wife. The accused persons outraged the modesty of the informant and Mantoo Kumar and Pappu Kumar were also assaulted by the accused persons who came to save the informant and his wife. The accused persons also looted away the gold and silver ornaments and cash from the house of the informant.

It is submitted by learned counsel for the petitioners that in the background of some land dispute, the present F.I.R has been registered. There is counter version of the occurrence also and petitioners' side also received injuries. There is no accusation of repeating the blow. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let



the petitioners, above named, 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 Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Harsidhi P.S. Case No. 195 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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