

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28897 of 2022

Arising Out of Case No.-689 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. GANGAI MUKHIYA Son of Late Paltu Mukhiya Resident of village - Chanaura Ganj Tol, Navtolia, P.S. - Jhanjharpur, District - Madhubani.
 2. Mahendra Mukhiya Son of Baudhu Mukhiya Resident of village - Chanaura Ganj Tol, Navtolia, P.S. - Jhanjharpur, District - Madhubani.
 3. Rajesh Mukhiya Son of Gangai Mukhiya Resident of village - Chanaura Ganj Tol, Navtolia, P.S. - Jhanjharpur, District - Madhubani.
 4. Binod Mukhiya Son of Bulbul Mukhiya Resident of village - Chanaura Ganj Tol, Navtolia, P.S. - Jhanjharpur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Shubham

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-09-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 323, 379 of the Indian Penal Code and u/s 3/4 of Prevention of Witchcraft Act.

As per the prosecution case, on the allegation of witchcraft these petitioners abused and assaulted the informant and called her Dian.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in



the case. It is submitted that as per allegation these petitioners only tried to put dirt in the mouth of complainant and no overt act has been alleged against them. The complaint petition was lodged after four months of the occurrence. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani in connection with C.R. case No.689/ 2018, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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