

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40721 of 2022

Arising Out of PS. Case No.-1004 Year-2017 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Devendra Pandey, Son Of Late Jatan Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.
 2. Ramendra Pandey @ Rabindra Pandey, Son Of Late Jatan Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.
 3. Surendra Pandey, Son Of Late Jatan Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.
 4. Anil Pandey, Son Of Ramendra Pandey @ Rabindra Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.
 5. Jay Chandra Pandey, Son Of Ramendra Pandey @ Rabindra Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.
 6. Amrendra Pandey, Son Of Surendra Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.
 7. Amaresh Pandey @ Mukesh Kr Pandey, Son Of Surendra Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.
 8. Mukesh Pandey, Son Of Surendra Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.
 9. Vina Devi, Wife Of Surendra Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.
 10. Rinku Devi, Wife Of Anil Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.
 11. Punam Devi, Wife Of Jay Chandra Pandey Resident Of Majhaura, P.S.- Basopatti, Dist.- Madhubani.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha
For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest



in a case registered for the offences punishable under Sections 323, 380, 452, 504, 541, 120(B) of the Indian Penal Code and Section 3/ 4 of the Witch Craft Act and cognizance was taken under Section 323 and 504 of the I.P.C. and Section 3/ 4 of the Witch Craft Act.

The learned counsel for the petitioners submits that the petitioner no.4 has antecedent of one case and rest of the petitioners are persons with clean antecedent and petitioner nos.9 to 11 are women and the complainant alleges that accused persons entered her house and assaulted her on pretext of being a Witch. Further, Veena Devi brought dirt and Ramendra made her forcibly eat the same, thereafter Anil Pandey cut her hair, Jaychandra and Amrendra Pandey applied soot and lying on her face and assaulted her grandson.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present. It is next submitted that deliberately a complaint was filed instead of an F.I.R., so that the matter is not investigated and based on the evidence of the complainant and witnesses, the petitioners get implicated. It is also submitted that if what has been alleged is true, then definitely the complainant would have gone to the police for instituting an F.I.R.



Learned A.P.P. opposes the bail application.

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, are directed to be released on bail on their furnishing bail-bonds in the sum 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 in connection with C.R. No.1004 of 2017, Corresponding to T.R. No.1851 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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