

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45763 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- RAJAOLI District- Nawada

KALO DEVI W/o Chandar Singh Resident of Village - Godiya Dih, P.s.-
Rajauli, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 342, 325, 326 and 302 of the Indian Penal Code and Section 3 /4 of Prevention of Witch (Daain) Practices Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman and the informant alleges his mother-in-law along with Gujri Devi and Dinesh Kumar came to his house four days ago and on 17.02.2022 Sharifa Devi and Ranjeet Kumar also came to his house, further on 17.02.2022 itself his wife and Mukesh along with younger son Umesh went to Tilaiya for getting plaster of his son's leg, further he went for grazing the cattle adjacent to



his house in the forest and Chameli Devi was collecting firewood, when the accused persons including the petitioner came looking for his house and when they could not find her, they assaulted Dinesh, Gujri, Sharifa and Ranjeet, further he along with Chameli were witnessing the occurrence but did not go to their house out of fear, it is next alleged that in the meantime, his wife came along with Mukesh and Umesh when all the accused persons caught and took her away at about 04:30 A.M., accused Dilip, Dinesh, Vijay brought diesel oil and poured on the body of his wife, further Rameshwar set her ablaze, further Dilip and Dinesh caught her leg and Vijay assaulted by iron *Chilohi* on neck causing injury on account of which she died in the pond, further few days ago, brother of Vijay died due to disease but he harboured grudge that his wife is a witch and his brother died on account of black magic performed by his wife.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is also submitted that petitioner is a woman and there is no specific allegation against her.

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



Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rajauli P.S. Case No. 71 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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