

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54548 of 2022

Arising Out of PS. Case No.-438 Year-2022 Thana- SIKARPUR District- West Champaran

1. SANDEEP YADAV Son of Rameshwar Yadav Resident of village - Majhariya, Ward No.- 7, Police Station - Shikarpur, District - West Champaran.
2. Nagwanti Devi Wife of Rameshwar Yadav Resident of village - Majhariya, Ward No.- 7, Police Station - Shikarpur, District - West Champaran.
3. Ramkant Yadav @ Ramakant Yadav Son of Late Chandrika Yadav @ Indrashan Yadav Resident of village - Majhariya, Ward No.- 7, Police Station - Shikarpur, District - West Champaran.
4. Rameshwar Yadav Son of Rameshwar Yadav @ Indrashan Yadav Resident of village - Majhariya, Ward No.- 7, Police Station - Shikarpur, District - West Champaran.
5. Nainpati Devi Wife of Ramkant Yadav @ Ramakant Yadav Resident of village - Majhariya, Ward No.- 7, Police Station - Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-10-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354(B), 379, 504 and 34 of the Indian Penal Code read with Sections 3 and 4 of the Witch Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant



alleges that on 18.05.2022 at about 1:30 pm when she was alone in her house, all the accused persons, including the petitioners, came and started abusing and assaulting her which was protested on which the petitioners called her a witch and forcibly administered faecal matter in her mouth, further Sandeep Yadav even tore her *saree* making her semi-naked and Nagwanti Devi snatched her golden nose pin.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that the FIR does not disclose that any witness had witnessed the occurrence, it is also submitted that from the side of the petitioners also Shikarpur P.S. Case No. 440 of 2022 has been instituted against the informant and her family members. It is further submitted that even the allegations are not specific rather are general and omnibus in nature and as far as allegation of disrobing and snatching nose pin is alleged, the same is ornamental in nature.

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

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 from today, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Shikarpur P.S. Case No. 438 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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