

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71393 of 2021

Arising Out of PS. Case No.-658 Year-2015 Thana- TURKAULIYA District- East
Champaran

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1. HARIHAR MANJHI Son of Rudal Manjhi
 2. Basudeo Manjhi
 3. Gagandeo Manjhi Both are sons of Harihar Manjhi
All are resident of Village - Sapahi Britiya, P.S.- Turkauliya, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-06-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code and section 3 and 4 of Prevention of Witch (Daain) Practices Act.

As per the prosecution case, the accused persons including the petitioners herein came at the door of the informant who was sitting with the newly born grand daughter in her lap. It is stated that the petitioner no.1 addressed her as a witch and on his orders, the accused persons who were armed with lathi and danda started to assault her causing injuries.

It is submitted by learned counsel for the petitioners



that the petitioners have been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the F.I.R. Investigation in the case has concluded and chargesheet has been submitted. On perusal of the material that has transpired in course of investigation, cognizance has been taken under section 354 and other sections of the Indian Penal Code and sections 3 and 4 of the Witch Act. The petitioners are in custody since 23.9.2021 and have no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the petitioners having remained in custody for 8 months and chargesheet having been submitted in the case, the Court directs all the three petitioners to be enlarged on bail in connection with Turkauliya P.S. Case no.658 of 2015 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran.

(Partha Sarthy, J)

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