

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72497 of 2021**

Arising Out of PS. Case No.-232 Year-2021 Thana- JHAJHA District- Jamui

1. Madhuri Devi @ Madhvi Devi Wife of Sri Bhola Mandal,
  2. Sushma Kumari Daughter of Budhan Mandal,
  3. Neha Devi @ Neha Kumari Wife of Jaidev Mandal,
- All are resident of Village- Navakadih, P.O.- Barajor, P.S.- Jhajha, District- Jamui

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Chandra Mohan Singh, Advocate  
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      09-06-2022                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This is an application for grant of anticipatory bail in connection with Jhajha P.S. Case No. 232 of 2021 registered for the offences punishable under Sections 143, 448, 500, 509, 341, 323, 427 of the Indian Penal Code and Section 3/4 of the Prevention of Witch Practices Act.

Learned counsel for the petitioners submits that petitioner nos. 2 and 3 have been declared juvenile hence the



present petition has become infructuous qua the petitioner nos. 2 and 3, may be permitted to withdraw and not press qua the petitioner nos. 2 and 3.

Permission is accorded.

Accordingly, the present petition qua the petitioner nos. 2 and 3 stands dismissed as not pressed.

As per F.I.R., informant alleges that on 28.07.2021 when she cooked meal at her house all named accused persons entered in her house on a pretext that she is a *Dian* and abused her, when the informant objected the petitioner no. 1 cut her hair and *Anchal* of *Sari* with scissors. It is further alleged that all accused persons assisted to cut hair and *Anchal* of the informant and tried to make her mentally ill.

Learned counsel for the petitioner no. 1 (hereinafter referred to as 'petitioner') submits that petitioner is neighbour and *Pattidar* of the informant and due to land dispute between the parties there is series of cases between them and this false case has been lodged against the petitioner and other accused persons.

Learned counsel for the petitioner further submits that all sections of this case are bailable in nature except Section 3/4 of the Prevention of Witch Practices Act which is super addition



to make this case non-bailable and the petitioner has no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer of anticipatory bail application of the petitioners.

Considering the aforesaid facts and circumstances that both the parties are *Pattidar*, petitioner has no criminal antecedent and there is land dispute due to which series of cases have been filed between both the parties, let the petitioner no. 1 (Madhuri Devi @ Madhvi Devi), in the event of her arrest/surrender before the learned court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 232 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sunil Dutta Mishra, J)**

ved/-

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