

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22057 of 2023

Arising Out of PS. Case No.-506 Year-2021 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. RAJ LAL MAHTO Son of Makkhan Mahto R/o village - Kanhauli (Sarhi Tol), P.S.- Khajauli, District - Madhubani.
 2. Anirudh Mahto Son of Raj Lal Mahto R/o village - Kanhauli (Sarhi Tol), P.S.- Khajauli, District - Madhubani.
 3. Jay Prakash Mahto @ Jay Prakash Kumar Son of Anirudh Mahto R/o village - Kanhauli (Sarhi Tol), P.S.- Khajauli, District - Madhubani.
 4. Rampyari Devi Wife of Anirudh Mahto R/o village - Kanhauli (Sarhi Tol), P.S.- Khajauli, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ghurni Devi Wife of Rajvir Mahto Resident of village - Kanhauli (Garhi Tol), P.S.- Khajouli, District - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2023 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341, 354(B), 504, 506 and 34 of the Indian Penal Code and under Sections 3 /4 of the Prevention of Witch (Daain) Act.

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



petitioner no. 4 is a woman and the informant alleges that accused persons came to her house and on allegation of witch, Anirudh dashed her on the ground while other accused assaulted her by leg and fist, thereafter, Manoj and Jai Prakash disrobed her, further Rampyari on directions of Raj Lal Mahto brought faecal material and poured the same on her head.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that from bare perusal of the allegation as alleged, it would manifest that the date of occurrence is 20.07.2021 and the complaint has been filed on 04.08.2021 i.e. after a delay of 14 days.

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 and the delay in instituting the complaint, the petitioners above-named, in the event of their 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) each 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 Complaint Case No. 506 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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