

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23853 of 2023

Arising Out of PS. Case No.-189 Year-2020 Thana- MADHEPURA COMPAILNT CASE
District- Madhepura

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1. Lalo Yadav @ Lalo Yadav Son of Late Parmeshwari Yadav @ Prameshwari Yadav Resident of Village - Gudar Chakla, Police Station - Murliganj, District - Madhepura.
 2. Manu Yadav Son of Lalo Yadav @ Lalo Yadav Resident of Village - Gudar Chakla, Police Station - Murliganj, District - Madhepura.
 3. Girdhar Das Son of Late Gena Das (Tantrik) Resident of Village - Kashipur, Ward No.- 04, Disciple of Mahanth Siyaram Das in Thakurbari Mandir, Near the L.P.M. College, Police Station - Murliganj, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhula Devi Wife of Dip Narayan Yadav Resident of Village - Gudar Chakla, Ward No.- 1, Post Office - Amarpura, Gram Panchayat Sigiyan, Police Station - Murliganj, District - Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-06-2023 Heard the learned counsel for the
petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Complaint Case No.189 of 2020, registered for offences under Sections 341, 323, 506/34 of the IPC and 3/4 Dyne



Act.

The allegation is regarding the accused persons having engaged in labeling the complainant as dyain (witch) and having spread false propaganda about the complaint being a witch in the society. It is also alleged that they had tried to administer stool in the mouth of the complainant and had sprinkled stool over the body of the complainant, as also had misbehaved with the daughter-in-law of the complainant.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled and on account of pre-existing dispute in between the parties, a false and fabricated case has been lodged by the complainant.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the accused persons, including the petitioners herein, apart from the fact that the petitioners are having a clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Madhepura in connection with Complaint Case No.189 of 2020, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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