

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23994 of 2023

Arising Out of PS. Case No.-154 Year-2021 Thana- MADANPUR District- Aurangabad

Arun Bhuiyan S/O Tapeswar Bhauian R/O Village- Jamuain, P.S- Madanpur,
Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-06-2023 Heard both parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 379 and other allied sections of the Indian Penal Code and section 3/4 of the Witchcraft Act.

Prosecution case in brief is that on the alleged date and time of occurrence, all the FIR named accused persons including petitioner armed with *Garasa*, *lathi* entered the house of informant and committed murder of informant's father and mother on allegation of Witchcraft.

It is submitted that allegation of assault is general and omnibus and no specific overt act has been alleged against this petitioner. Petitioner has been falsely implicated in this case due to village politics. It is further submitted that on the alleged date



and time of occurrence, petitioner was working at Punjab as labourer. Petitioner claims clean antecedents.

However, counsel for State vehemently opposed the prayer for bail and submitted that petitioner is named in the FIR and there is allegation that all the FIR named accused persons including petitioner committed murder of informant’s father and mother.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioner above-named on anticipatory bail in connection with Madanpur P.S. Case No. 154 of 2021. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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