

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25986 of 2023

Arising Out of PS. Case No.-7 Year-2021 Thana- RAHIKA District- Madhubani

AJEET KUMAR MAHTO @ AJIT MAHTO Son of Surendra Mahto
Resident of village-Kamalpur, Ward No. 1, Police Station-Rahika, District-
Madhubani Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-07-2023 Heard Mr. Bijay Bhushan Prasad, learned counsel

for the petitioner and Mr. Lalan Kumar, learned Additional

Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection
with Rahika Town PS Case No. 7/2021 dated 07.01.2021
registered for the offence punishable under Sections 341, 323,
504, 354, 379/34 of the IPC and Sections 3/4 of the Prevention of
Witch (Daain) Practices Act.

3. As per prosecution story, while the informant was
at her home, in the meantime, her villager, Ajit Mahto
(petitioner) came there and started abusing her by calling *Daain*
and and further told her that she has applied witchcraft upon the
petitioner due to which he has become lean and thin. Other
accused persons have, allegedly, assaulted the informant.

4. Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to family dispute. He further submits that the petitioner is nephew of the informant and there is no allegation of assault upon him and the only allegation is that he allegedly, bitten the informant with his teeth.

5. Regards being had to the submissions made by the parties, taking into consideration the nature of allegation and the fact that the petitioner is nephew of the informant, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, AJEET KUMAR MAHTO @ AJIT MAHTO, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class- Madhubani in connection with Rahika Town PS Case No. 7/2021, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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