

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33779 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- LAXMIPUR District- Jamui

1. Sanjay Kumar @ Sanjay Das son of Mahadev Das Village Po- Nazri Ps- Laxmipur Dist- Jamui, Bihar
2. Kumeshwar Kumar @ Kumeshwar Das S/o- Mahadev Das Village Po- Nazri Ps-Laxmipur Dist- Jamui, Bihar
3. Nepal Das @ Bhagirath Das S/o- Shobhan Das Village Po- Nazri Ps- Laxmipur Dist- Jamui, Bihar
4. Gautam Das S/o- Nepal Das Village Po- Nazri Ps-Laxmipur Dist- Jamui, Bihar
5. Videshi Kumar @ Videshi S/o-Nepal Das Village Po- Nazri Ps-Laxmipur Dist- Jamui, Bihar
6. Mahadev Das S/o- Shobhan Das Village Po- Nazri Ps-Laxmipur Dist- Jamui, Bihar
7. Savita Devi w/o- Sanjay Das Village Po- Nazri Ps-Laxmipur Dist- Jamui, Bihar
8. Hemia Devi W/o- Mahadev Das Village Po- Nazri Ps-Laxmipur Dist- Jamui, Bihar
9. Tetri Devi w/o- Nepal Das Village Po- Nazri Ps-Laxmipur Dist- Jamui, Bihar
10. Gita Devi S/o- Kumeshwar Das Village Po- Nazri Ps-Laxmipur Dist- Jamui, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kishan
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2023 Heard learned counsel for the petitioners and

learned counsel for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 148,



341, 307, 325/34 of the Indian Penal Code and section 3/4 Prevention of Witch Practices Act.

3. As per the prosecution case, on the date and time of occurrence, all the FIR named accused persons variously armed came at the house of informant and assaulted the informant, his mother, his brother and his grandmother. Petitioner no. 2 called the grandmother of informant witch and smeared cow-dung on her face.

4. It is submitted that as per the FIR, petitioner no. 1 assaulted with sword, petitioner nos. 2, 3, and 4 assaulted the informant with iron rod and the accused persons also demanded rangdari. So far as case of petitioner nos. 5, 6, 7, 8, 9 and 10 are concerned, there is no specific allegation against them. The doctor has found five injuries on the person of injured, out of which, three injuries are simple in nature and for the rest two injuries, opinion is kept reserved. As a matter of fact, petitioner no. 1 is social activist and he used to disclose the corruptions committed by the public officials, bureaucrats as well as political leaders. Informant and his brothers are landless and by fraud they are getting benefit of *Pradhan Mantri Kisaan Samman Nidhi Yojana*. When petitioner disclosed this fact, this false case has been lodged by the informant against petitioners.



5. Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Chief Judicial Magistrate, Jamui in connection with Laxmipur P.S. Case No. 106 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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