

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35439 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- RAJAOLI District- Nawada

1. SURMA DEVI @ UMA DEVI WIFE OF DILO SINGH @ DILCHAND SINGH Resident of Village Gohiyadih, P.S.- Rajauli, District- Nawada
2. SAVITRI DEVI WIFE OF SIKANDAR SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
3. LAKSHMI DEVI WIFE OF GOLU SINGH @ NARESH SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
4. PRAYAG SINGH SON OF HARILAL SINGH Resident of Village- Gangta, P.S.- Rajauli, District- Nawada.
5. KUNTI DEVI WIFE OF LATE KEDAR SINGH Resident of Village- Gangta, P.S.- Rajauli, District- Nawada.
6. PRADEEP YADAV SON OF BASANT YADAV Resident of Village- Gangta, P.S.- Rajauli, District- Nawada.
7. RITA DEVI @ ANITA DEVI WIFE OF LATE RAMAVATAR SAO Resident of Village- Karigaon, at present residing at village -Gohiyadih
8. MANGIYA DEVI WIFE OF DHANESHWAR SINGH Resident of Village- Karigaon, at present residing at village -Gohiyadih
9. RINKU DEVI WIFE OF MANOHAR SAO Resident of Village- Karigaon, at present residing at village -Gohiyadih
10. DEWANTI DEVI WIFE OF DILIP SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
11. MANTI DEVI WIFE OF RAJU SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
12. MANJU DEVI @ SUKARI DEVI WIFE OF PUNIT SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
13. ANJU DEVI WIFE OF PINTU SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
14. MUNNI DEVI WIFE OF SOMAR SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
15. SINTU KUMAR SAH SON OF LATE RAMOVATARI SAH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
16. RAMESH SINGH SON OF GAYA SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
17. PINTU KUMAR SINGH SON OF LATE CHANDRA SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
18. PUNIT SINGH SON OF LATE BISHUN SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
19. YOGENDRA SINGH SON OF LATE KEDAR SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
20. GOLA SINGH @ NARESH SINGH SON OF LATE SOMAR SINGH



Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada

21. PARMESHWARI DEVI WIFE OF LATE MAHAVIR SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada
22. SANJU DEVI WIFE OF GAYA SINGH Resident of Village- Gohiyadih, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Nayan, Advocate
For the Opposite Party/s	:	Mr. Raj Kishore Singh, APP
For the informant	:	Mr. Birendra Kumar, Advocate
		Mr. Kumud Kishore, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-01-2023 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302, 147, 148, 149, 341, 323, 342, 325 and 326 of the Indian Penal Code and sections 3 and 4 of the Prevention of Witch (Daain) Practice Act, 1999.

As per the prosecution case, it is stated by the informant that the 53 named accused persons including the 22 petitioners herein along with 15-20 unknown accused persons besides others came variously armed and started to search for the informant's wife. All of them started to assault his wife and thereafter she was taken away. Dilip Singh, Dinesh Singh and Vijay Singh poured diesel on her and Rameshwar Singh set her



ablaze with a matchstick. Thereafter it is stated that on the informant's wife jumping into the lake, the accused persons resorted to brick-batting. Subsequently Dinesh Singh and Dilip Singh caught hold of her neck while Vijay Singh slit her throat thus killing her.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. The allegations in the F.I.R. are false and concocted. The allegations are general and omnibus in nature. The case of the petitioners stand on a similar footing to that of the 20 other co-accused who have been enlarged on bail vide order dated 27.9.2022 passed in Cr. Misc. no. 50636 of 2022. The petitioners are in custody since different dates ie 19.2.2022 and 21.3.2022. They have no criminal antecedent and charge-sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioners are named in the F.I.R. but there is direct allegation against them.

Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation



against the petitioners in the F.I.R., grant of bail to the above mentioned 20 accused persons vide order dated 27.9.2022, the petitioners being in custody for more than 9 months and charge-sheet having been submitted in the case, the petitioners are directed to be enlarged on bail in connection with Rajauli P.S. Case no. 71 of 2022 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada.

(Partha Sarthy, J)

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