

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42794 of 2023

Arising Out of PS. Case No.-737 Year-2022 Thana- NATHNAGAR District- Bhagalpur

1. ASHIS YADAV @ AASHISH KUMAR YADAV Son of Chharbin Yadav Resident of village - Chhit Raghapur, P.S.- Nath Nagar, District - Bhagalpur.
2. Nitish Yadav @ Nitesh Yadav @ Nitesh Kumar Son of Sadanand Yadav Resident of village - Chhit Raghapur, P.S.- Nath Nagar, District - Bhagalpur.
3. Chharbin Yadav Son of Late Lakhan Yadav Resident of village - Chhit Raghapur, P.S.- Nath Nagar, District - Bhagalpur.
4. Budhani Devi Wife of Chharbin Yadav Resident of village - Chhit Raghapur, P.S.- Nath Nagar, District - Bhagalpur.
5. Simple @ Silpi Kumari @ Simple kumari Daughter of Chharbin Yadav Resident of village - Chhit Raghapur, P.S.- Nath Nagar, District - Bhagalpur.
6. Priyanka Devi Wife of Rajeev Yadav Resident of village - Chhit Raghapur, P.S.- Nath Nagar, District - Bhagalpur.
7. Soni Devi Wife of Piyush Yadav Resident of village - Chhit Raghapur, P.S.- Nath Nagar, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar,Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-08-2023

Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 147, 148, 149, 341, 323, 307, 354B, 504, 506 of the Indian Penal Code and Section 3 and 4 of the Witch Practices Act.

3. On the alleged date and time of occurrence, these petitioners alongwith co-accused Rajeev Yadav, variously armed



with lathi and iron rod, came to the house of informant and started abusing her and called her witch practitioner (Dian) and alleged that she has killed grand son of petitioner no. 3 and on protest, all the accused persons assaulted her. It is further alleged that when husband and father-in-law of informant came to rescue informant, they were also assaulted with lathi by the accused persons.

4. It is submitted on behalf of petitioners that due to petty dispute, a free fight took place, in which, both sides sustained injury. There is general and omnibus allegation of assault against all the petitioners. There is case and counter case. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the backdrop of the incident and the fact that there is general and omnibus allegation of assault against all the petitioners let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar P.S. Case



No. 737 of 2022, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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