

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51208 of 2023

Arising Out of PS. Case No.-205 Year-2022 Thana- DHAMDAHA District- Purnia

1. Mantu Uraon S/O Kishundeo Uraon R/O Village- Bishnupur Sarjuga Ps. Dhamdaha Dist. Purnea
2. Renu Devi W/O Mantu Uraon R/O Village- Bishnupur Sarjuga Ps. Dhamdaha Dist. Purnea
3. Dhiren Uraon S/O Reshma Uraon R/O Village- Bishnupur Sarjuga Ps. Dhamdaha Dist. Purnea
4. Buchiya Devi W/O Dhiren Tuddu R/O Village- Bishnupur Sarjuga Ps. Dhamdaha Dist. Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners seek bail, who are in custody since 25.04.2023, in connection with Dhamdaha P.S. Case No. 205 of 2022, F.I.R. dated 05.08.2022 registered for the offences punishable under Sections 364, 341, 302, 323, 324, 379, 504, 506/34 of the Indian Penal Code and Section 3/4 of the Prohibition of Witch Practices Act.

3. Allegation against the petitioners is that they along with other co-accused persons in furtherance of their



common intention of all having deadly weapons i.e. Dabia and spade entered into the house of the informant by saying Witch to the elder sister of the informant, namely Ranjan Devi and brutally assaulted her by sharp edged weapon and disappeared her. It is further alleged that accused persons have also taken away all the house hold articles including cash and buffalo etc. The informant suspects that her elder sister was murdered and disappeared.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case merely on the basis of suspicion. He further submits that the informant is not an eye witness of the alleged occurrence and except the suspicion, no other material has come during investigation to suggest the involvement of the petitioners in the present occurrence. He further submits that co-accused person namely Birma Devi @ Berma Devi has been granted bail by this Court vide order dated 12.07.2023 passed in Cr. Misc. No. 13788 of 2023. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 25.04.2023.

5. The learned Additional Public Prosecutor for the



State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S. Case No. 205 of 2022, subject to the following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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