

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52770 of 2023

Arising Out of PS. Case No.-166 Year-2023 Thana- RAXAUL District- East Champaran

1. JITENDRA SAHANI, Son Of Late Rudal Sahani R/O-Sihorwa, P.S.-Raxaul, Distt.-East Champaran
2. ROUSHAN SAHANI, Son Of Jitendra Sahani R/O-Sihorwa, P.S.-Raxaul, Distt.-East Champaran
3. AMIRI SAHANI, Son Of Jitendra Sahani R/O-Sihorwa, P.S.-Raxaul, Distt.-East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Ajit Kumar, APP
For the Informant	:	Mr. Dhannjay Kumar No 2, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-11-2023 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 448, 323, 324, 307, 379 and 504 of the Indian Penal Code and Section 3 and 4 of the Witch Craft Act.

3. As per the prosecution case, nine named persons including the petitioners have assaulted the husband and two sons of the informant and have also called the informant a witch.

4. It is submitted by learned counsel for the petitioners that the the prosecution case is false and fabricated. The doctor



has found simple injuries and there is case and counter-case.
The parties are agnates and there is land dispute between them.

5. Learned A.P.P. for the State and learned counsel for the informant have opposed the prayer for anticipatory bail.

6. Considering the nature of injuries and aforesaid facts and circumstances, the prayer for anticipatory bail of the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners 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 learned Sub-Divisional Judicial Magistrate, Raxaul, Motihari, East Champaran, in connection with Raxaul P.S. Case No.166 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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