

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56472 of 2023

Arising Out of PS. Case No.-1110 Year-2018 Thana- COMPLAINT CASE District- Supaul

1. Rambha Devi Wife Of Sri Gajendra Mehta Resident Of Village- Rajgaon, Koriapatti, Ps- Jadiya, Dist- Supaul
2. Rajmani Kumari @ Rajmani Devi Wife Of Sri Surendra Kumar Sushil Resident Of Village- Rajgaon, Koriapatti, Ps- Jadiya, Dist- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sulochna Devi wife of Sri Bijendra Mehta Resident of Village- Rajgaon, Ward No. 03, Ps- Jadiya, Dist- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-08-2023 Heard the learned counsel for the petitioners and the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Complaint Case (P) No. 1110 of 2018/Complaint Case No. 1110(C) of 2018, registered for the offences punishable under Sections 341, 323, 324, 354B, 379 and 307/34 of the Indian Penal Code and Sections 3/4 of the Preventions of Witch Practices Act, 1999.

3. As per FIR, it is alleged that that all the accused persons including the petitioners abused the complainant by



calling her as a witch. The accused persons also tried to outrage the modesty of the complainant. The specific allegation against the petitioners is that they tried to administer filth in the mouth of the complainant.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners and complainant are family members and on account of some family dispute, this false case has been lodged to harass the accused persons including the petitioners. He further submits that the petitioners belong to a highly educated family and such type of allegation as alleged in the FIR, is not expected from the petitioners.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier for anticipatory bail in this case.

6. It has further been stated that the petitioners have no criminal antecedent.

7. However, the learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail,



in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court, in connection with Complaint Case (P) No. 1110 of 2018/Complaint Case No. 1110(C) of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have concealed their criminal antecedent, the learned court below shall cancel the bail bond of the petitioners after hearing him and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

9. The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified



copy of this order only after removal of office objections.

(Jitendra Kumar, J)

Amrendra/-

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