

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74093 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- CHAKARANDHA P.S. District- Gaya

1. BARHAN BHUIYAN @ BADHAN BHUIYAN @ BADHAN BHARTI SON OF LATE BIGAN BHUIYAN RESIDENT OF VILLAGE - CHANDARIYA, P.S. - DUMARIA, DISTRICT - GAYA, ALSO AT VILLAGE - CHAURITAND, P.S. - CHAKARBANDHA, DISTRICT - GAYA
2. SHANKAR BHUIYAN SON OF LATE BIGAN BHUIYAN RESIDENT OF VILLAGE - CHANDARIYA, P.S. - DUMARIA, DISTRICT - GAYA, ALSO AT VILLAGE - CHAURITAND, P.S. - CHAKARBANDHA, DISTRICT - GAYA
3. SHANTAN BHUIYAN @ SANTAN BHARTI SON OF BARHAN BHUIYAN @ BADHAN BHUIYAN @ BADHAN BHARTI RESIDENT OF VILLAGE - CHANDARIYA, P.S. - DUMARIA, DISTRICT - GAYA, ALSO AT VILLAGE - CHAURITAND, P.S. - CHAKARBANDHA, DISTRICT - GAYA
4. SUNIL BHUIYAN @ SUNIL BHARTI SON OF BARHAN BHUIYAN @ BADHAN BHUIYAN @ BADHAN BHARTI RESIDENT OF VILLAGE - CHANDARIYA, P.S. - DUMARIA, DISTRICT - GAYA, ALSO AT VILLAGE - CHAURITAND, P.S. - CHAKARBANDHA, DISTRICT - GAYA
5. RANJAN BHUIYAN @ RANJAN BHARTI SON OF BARHAN BHUIYAN @ BADHAN BHUIYAN @ BADHAN BHARTI RESIDENT OF VILLAGE - CHANDARIYA, P.S. - DUMARIA, DISTRICT - GAYA, ALSO AT VILLAGE - CHAURITAND, P.S. - CHAKARBANDHA, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Nikhil
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-11-2023

1. Heard the parties.

2. The petitioners apprehend their arrest in connection

with Chakarbandha P.S.Case No. 09 of 2023 dated 25-04-2023



registered under Sections 341, 323, 324, 307, 504, 506 and 34 of the I.P.C. and Section 3/4 of the Prevention of Witch (Daain) Practices Act.

3. The allegation against the petitioners as per the First Information Report is that they used to call the informant ghost for which some altercation had taken place causing 12 stitches on the head of the informant. It has further been alleged that the aforesaid act of the petitioners and others were referred to “Janta Adalat” and they arrived at amicable settlement and bond was also executed between them that no body would call the informant as ghost. It has further been stated that despite bond having been executed, the accused persons called the informant as ghost and used to quarrel with the informant after taking liquor due to which informant has left his house and is roaming here and there.

4. Learned counsel for the petitioners submits that both the parties are co-villagers and the allegation against the petitioners are only imaginary. She next submits that 1st part of the F.I.R. refers to an occurrence which had taken place some time back and the same was compromised and bond was also executed between the parties whereas 2nd part of the F.I.R. does not level any specific allegation against the petitioners of assault



and only general and omnibus allegation has been made by the informant against all the accused persons.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation made in the F.I.R. and the fact that no specific allegation of assault is there against the petitioners, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghatti (Gaya) in connection with Chhakarbandha P.S. Case No. 09 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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