

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73097 of 2023**

Arising Out of PS. Case No.-192 Year-2023 Thana- KHARHAGPUR District- Munger

1. FULO DEVI W/o Mangal Bind VILLAGE_ GOBADDA TANDI PS_ HAVELI KHARAGPUR, DISTT. - MUNGER
2. Mangal Bind Son of Late Kailesh Bind @ Late Kailu Bind VILLAGE_ GOBADDA TANDI PS_ HAVELI KHARAGPUR, DISTT. - MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Shashi Saurabh, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Kharagpur P.S. Case No. 192 of 2023 dated 08.04.2023 registered for the offences punishable u/ss 341, 323, 307, 504, 506 read with section 34 of the Indian Penal Code and u/s 3/4 of the Prevention of Witch Craft Act.

3. As per the prosecution case, when the informant was returning to her house after cutting wheat then the petitioner Mangal Bind, surrounded her and started abusing by saying her witch. Thereafter, on the order of the petitioner Fulo Devi, the petitioner Mangal Bind assaulted on the head of the informant with an iron rod causing injury on her neck and head.

4. Learned counsel for the petitioners has submitted that



the petitioners have falsely been implicated in this case. It is further submitted that the petitioner no. 1 is a lady and the wife of the petitioner no. 2. The petitioners have no concern with the alleged offence. Learned counsel has further submitted that the head injury measuring 1 inch x ½ inch but no proper dimension of the injury no. 2 is mentioned in the injury report (at Annexure -2) of the informant. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, 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-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Munger in connection with Kharagpur P.S. Case No. 192 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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