

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23602 of 2024

Arising Out of PS. Case No.-377 Year-2023 Thana- BYPASS District- Patna

Usha Devi Wife Of Shravan Kebat @ Shravan Kewat @ Saraban Kebat @
Shrawan Kewat Resent of Mohalla -Dhawalpura PS -Bypass, District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 24188 of 2024

Arising Out of PS. Case No.-377 Year-2023 Thana- BYPASS District- Patna

Rajani Devi @ Rajni Kumari D/o Shravan Kebat @ Shravan Kewat @ Sarban
Kebats @ Shrawan Kewat Resident of Mohalla- Dhawalpura, P.S.- Bypass,
Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 27406 of 2024

Arising Out of PS. Case No.-377 Year-2023 Thana- BYPASS District- Patna

Bittu Kewat @ Bittu Kumar Son of Shravan Kebat @ Shravan Kewat @
Sarban Kebat @ Shrawan Kewat @ Sarvan Kewat Resident of Mohalla-
Bahari Dhawalpura, P.S.- Bypass, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 23602 of 2024)

For the Petitioner/s : Mr.Praveen Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

(In CRIMINAL MISCELLANEOUS No. 24188 of 2024)

For the Petitioner/s : Mr.Praveen Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

(In CRIMINAL MISCELLANEOUS No. 27406 of 2024)

For the Petitioner/s : Mr.Praveen Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP



CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Bypass P.S. Case No. 377 of 2023, registered on 05.08.2023 for the offences under Sections 147, 148, 149, 323, 325, 307, 379, 504 of the Indian Penal Code and Sections 3/4 of Witch Practices Act.

3. As per prosecution case, the petitioners and other co-accused persons surrounded the informant and calling his mother witch started abusing them. When the informant forbade them, the petitioners Usha Devi, Rajani Devi along with co-accused Priti Devi threw chilli powder in his eyes and co-accused Sharavan Kewat assaulted him with an axe on his head, left temple and back causing serious injuries. Petitioner Bittu Kewat assaulted the mother and sister of the informant and snatched Rs.30,000/- and gold chain from the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. No occurrence as alleged has ever taken place. There is no allegation of assault against the petitioners which is quite specific against Sharavan Kewat, who was taken in custody and



thereafter, released on default bail. Two of the petitioners are ladies and allegation is only of throwing chilli powder whereas the allegation against the petitioner Bittu Kewat is general and quite vague and there is no injury report of mother and sister of the informant. The petitioners are having clean antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners. Learned APP submits that the petitioners called the mother of the informant witch and assaulted the informant and others.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of allegation against the petitioners and further considering the fact that thrust of main allegation is against co-accused Sharavan Kewat, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Patna City, Patna/concerned court in connection with Bypass P.S. Case No. 377 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other



following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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