

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32123 of 2024

Arising Out of PS. Case No.-413 Year-2023 Thana- SHIVSAGAR District- Rohtas

1. Dinesh Prajapati @Dinesh Kumar @ Dineshwar Prajapati SON OF LATE BHIKHARI KUMHAR @ LATE JHIRLALI KUMHAR RESIDENT OF VILLAGE-SIKUHI, PS- SHIVSAGAR, (BADDI OP) DIST- ROHTAS
2. RAMAYAN PRAJAPATI @ RAMAYAN SON OF DINESHWAR PRAJAPATI RESIDENT OF VILLAGE-SIKUHI, PS- SHIVSAGAR, (BADDI OP) DIST- ROHTAS
3. PARANIYA DEVI @ PRONO DEVI WIFE OF DINESH KUMHAR @ DINESHWAR PRAJAPATI RESIDENT OF VILLAGE-SIKUHI, PS- SHIVSAGAR, (BADDI OP) DIST- ROHTAS
4. SUNITA DEVI @ SUNITA KUMARI @ ANITA DEVI WIFE OF RAMAYAN PRAJAPATI RESIDENT OF VILLAGE-SIKUHI, PS- SHIVSAGAR, (BADDI OP) DIST- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under sections 341, 323 379 & 504/34 of the Indian Penal Code and Section 3/4 of Prevention of Witch Practices Act.

3. The petitioners along with other co-accused is said to have assaulted the informant by means of lathi and feet calling her as a witch.



4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties for which a proceeding under Section 107 Cr.P.C. is pending between them. There is delay of two days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. Petitioners have no criminal antecedent as mentioned in para-3 of this application. He further submits that similarly situated co-accused has already been granted bail by this Court vide order dated 12.03.2024 passed in Cr. Misc. No. 11568 of 2024.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in



connection with Shivsagar (Baddi) P.S. Case No.413 of 2023,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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