

Arising Out of PS. Case No.-442 Year-2023 Thana- KHIJARSARAI District- Gaya

- Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Neha Rani
Mr. Sanjeev Kumar Singh
For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-07-2024 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code and Section 3 of Witch Craft (Dian) Act.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner nos.3 and 4 are women and the informant alleges



that several named accused persons including the petitioners came and Sachchidanand Das assaulted the informant by rod on his head causing injury on the pretext that his wife is a witch. Thereafter, other accused persons also assaulted the informant.

4. The learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that as far as these petitioners are concerned, the allegation of assault against them is general and omnibus in nature and specific allegation of assaulting the informant on head by rod is against Sachchidanand. It is also submitted that since there was an altercation in between Sachchidanand and the informant, as such, the present occurrence took place in which the entire family members have been implicated.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the



learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Gaya in connection with Khizersarai P. S. Case No.442 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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