

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10418 of 2024

Arising Out of PS. Case No.-58 Year-2019 Thana- KATIHAR COMPLAINT CASE District-
Katihar

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1. SOMAI BASKI SON OF KANDAN BASKI RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 2. NARESH TUDDU SON OF MERO TUDDU RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 3. GOPNAB TUDDU @ GOPNATH TUDDU SON OF LATE DATT NATH TUDDU RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 4. HAJ HANSDA @ MANJHI MANJHIYAN @ HAJI HANSDA SON OF MANJO KISKU RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 5. BIREN SOREN @ BIRAM SOREN SON OF LATE CHARAN SOREN RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 6. RAJU MURMU @ BEJEN MURMU SON OF LATE BARKU MURMU RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 7. JANAJI MURMU @ MANJI MANJHIYAN WIFE OF BIREN SOREN RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 8. MARANG KUDI MANJHIYAN @ TALMI MANJHIYAN WIFE OF MERO TUDDU RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 9. BAJUN KISKU SON OF BARKU KISKU RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 10. MARAN KURI MANJHIYAN @ TALMI MANJHIYAN @ MARANG KUDI HANSDA WIFE OF MERRY TUDDU RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 11. CHUMBAY MARANDI SON OF LATE GANSHA HANSDA RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 12. CHANDA HANSDA SON OF LATE GANSHA HANSDA RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 13. RAM HANSDA SON OF GULAHA SADA RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 14. SINGO HANSDA @ SANJHALI HANSDA WIFE OF LATE PHAGU MURMU RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR
 15. BABU LAL MURMU @ RAMSON MURMU @ RAYSON MURMU SON OF BARKU MURMU RESIDENT OF VILLAGE - KHAJURIA, P.S. - AZAMNAGAR, DISTRICT - KATIHAR



... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
 2. MANJHALI SOREN WIFE OF HOPNA MURMU RESIDENT OF
VILLAGE - KHAJURIA, P.S. - AZAM NAGAR, DISTRICT - KATI HAR
- Opposite Party/s

Appearance :

For the Petitioners : Mr. Ajit Kumar Singh, Advocate
For the State : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-06-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a complaint case registered for the offence punishable under Sections 323 and 354 of the Indian Penal Code and Sections 3 and 4 of the Prevention of Witch Practices Act.

3. The prosecution case in brief is that on 07.12.2018 at about 11 PM, in the name of *Panchayati*, all the accused persons called the complainant and her husband and started calling her *daain* and when the complainant and her husband protested, all the accused persons started assaulting them and they also forced her to drink human excreta and also circulated a notice that whoever talks to the complainant will have to pay a fine.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the petitioners are innocent and have committed no offence as alleged in the complaint petition.



It is next submitted that as a matter of fact, complainant is wife of brother of Petitioner No. 6 and only with a motive to settle land dispute, this false and concocted case has been lodged. It is further submitted that there are general and omnibus allegation against these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Vith, Katihar, in connection with Complaint Case No.58 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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