

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42176 of 2025

Arising Out of PS. Case No.-268 Year-2020 Thana- BIHPUR District- Bhagalpur

1. Runa Devi @ Sunita Devi W/O Pappu Kumar R/O Vill.- Sonbarsha, P.S. - Bihpur, Dist.- Bhagalpur
2. Chotu Kumar @ Prashant Kumar S/O Pappu Kumar R/O Vill.- Sonbarsha, P.S. - Bihpur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-10-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Learned counsel for the petitioners, after some argument, seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 2, namely, Chotu Kumar @ Prashant Kumar.

3. Permission is accorded.

4. Accordingly, the anticipatory bail application with respect to petitioner no. 2 is dismissed as withdrawn.

5. The petitioner no. 1 apprehends her arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 354(B), 447, 448 and 504 of the Indian Penal Code as well as Sections 3 and 4 of the Prevention of Witch (Daain) Practices Act, 1999.



6. Learned counsel for the petitioner no. 1 submits that petitioner no. 1 is a person with clean antecedent and is a woman and the informant alleges that on 12.07.2020, the accused persons came and on orders of Jeevan Chaudhary locked her in her house with an intent to kill. Further, she remained confined in her house for two days but when the villagers came to know about her confinement, the informant was taken out of the house on 14.07.2020 and while she was sitting at her door when the accused persons came and Jeevan Chaudhary and Rukmani Devi gave orders to kill on the pretext that she is a witch and intends to kill their son and thereafter Rukmani Devi, Runa Devi @ Sunita Devi (petitioner no. 1) and Punam Devi caught her hair and petitioner dragged her to the house of Pappu Kumar and Krishnanand Kumar torn her blouse while Pappu Kumar, Vinay Kumar and Chotu Kumar tied her hands and legs by rope and thereafter Chotu Kumar by rod, Krishnanand Kumar, Pappu Kumar and Vinay Kumar by butt of pistol assaulted on every parts of her body and even assaulted by bricks repeatedly on head and broke her jaw and took away Rs.30,000/- along with ornaments and paper of the tractor.

7. Learned counsel for the petitioner no.1 submits that petitioner no.1 has been falsely implicated in the instant case by



the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner no. 1 is alleged to have dragged the informant by holding her hair along with Rukmani Devi and Punam Devi. It is next submitted that no specific allegation of assault is alleged against the petitioner no. 1.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no. 1.

9. Considering the submissions made by the learned counsel for the petitioner no. 1, let the petitioner no. 1 above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Bihpur P.S. Case No. 268 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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