

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60066 of 2024**

Arising Out of PS. Case No.-200 Year-2024 Thana- GOVINDGANJ District- East
Champaran

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1. Sanjay Paswan son of Late Sukedev Paswan village- Malahi, Ps- Malahi, Dist- East champaran
 2. Saroj Devi Wife of Sanjay Paswan village- Malahi, Ps- Malahi, Dist- East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

6 18-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Govindganj (Malahi) P.S. Case no. 200 of 2024 instituted for the offence under Sections 341, 323, 324, 308, 354-B, 379, 504, 506/34 of the Indian Penal Code and Sections 3 and 4 of the Prevention of Witch Practices Act.

3. As per allegation in the FIR, On the alleged date of occurrence, all the FIR named accused persons came to the door of the informant and addressed the informant by saying “डायन” and petitioner no. 1 assaulted her by means of iron rod on her



legs and hands as a result of which her hand got fractured. Allegedly, petitioner no. 2 along with co-accused Seema Devi snatched gold chain from the neck of the informant. It is further alleged that when her son came to rescue her, co-accused Chhotelal Paswan and Anuj Paswan assaulted him with lathi and iron rod and another son, Ujjawal Kumar was also assaulted by petitioner Sanjay Paswan when he was trying to save his brother and mother. Accused persons taken away the motorcycle of the informant.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have got no criminal antecedent. Injury report of informant is mentioned in para-46 of the case diary from which it appears that she has received swelling and tenderness in right hand and tenderness in left shoulder. In para-47 of the case diary, injury report of injured Ujjwal Kumar is mentioned from which it appears that he has received lacerated wound in left temporal region of head and tenderness of left chest.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and



considering the fact that petitioner no. 2 is lady and no specific allegation of making assault is attributed to her, this Court is inclined to enlarge the petitioner on bail. The petitioner no. 2 is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Govindganj (Malahi) P.S. Case no. 200 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1st Motihri, East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. So far as petitioner no. 1 is concerned, there is direct allegation of making assault to informant and her son by means of iron rod against him and considering the injury sustained by him, this Court is not inclined to grant him anticipatory bail. His prayer for bail stands rejected.

(S. B. Pd. Singh, J)

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