

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4891 of 2015

Arising Out of P.S. Case No. -105 Year- 2014 Thana - BELSAND District- SITAMARHI

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Abulaish @ Md. Abulaish, Son of Md. Halim, Resident of Vill - Pandrahi,
P.S. - Belsand, Distt. - Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shankar Kumar, Advocate.

For the Opposite Party/s : Mr. (APP).

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 04-02-2015

Heard both sides.

The petitioner apprehends his arrest in Belsand P.S.
Case No. 105/2014 registered under Sections 341, 323, 354, 506,
34 of the Indian Penal Code and Sections 3/4 of the Prevention of
Witchcraft Act.

The informant named six persons including the
petitioner and alleged that the accused persons assaulted her.
When her daughter-in-law came to save her, the accused persons
also assaulted her daughter-in-law. They forcibly wanted the
informant to eat night soil.

Learned counsel for the petitioner submits that
occurrence is said to have taken place on 04.08.2014 but the F.I.R.
was lodged on 12.08.2014. Prior to lodging of this case, Fatama
Khatoon filed a case against the informant and others under

different sections of the Indian Penal Code and Sections 3/4 of the Prevention of Witchcraft Act.

It appears that the informant lodged the case after one week from the date of the occurrence. Prior to lodging of the case by the informant, from the side of the petitioner, Fatama Khatoon also lodged a case against the informant and others.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in Belsand P.S. Case No. 105/2014, corresponding to G.R. No. 3069/14, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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