

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22804 of 2015

Arising Out of PS.Case No. -61 Year- 2011 Thana -MADHEPUR District- MADHUBANI

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Nasima Khatoon Wife of Md. Full Hasan, Resident of village- Bhit
Bhagwanpur, P.S.- Madhepur, District- Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Ram Bachan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending her arrest in a case instituted under Sections 341, 323, 354, 307 and 504 of the Indian Penal Code and Section 3 / 4 of Prevention of Witch (Daain) Practices Act, 1999.

As per written petition of the informant, Vijay Laxmi Devi, that on 23.4.2011 when she was going to worship, accused Phool Hasan called her in his courtyard where the petitioner was sitting. Co-accused Md. Salamat was practicing which craft. The accused persons got the informant sit there and asked the petitioner that who was practicing witchcraft upon her and the petitioner pointed out the name of the informant. Thereafter Salamat assaulted the informant by Sandle and when the informant cried then accused Phool Hasan and Md. Mazloom

pulled down her and put the bone of cow in her mouth and other accused persons spiting upon her body. It is further alleged that accused Md. Salamat pulled her sari and made her naked and tried to kill her. The petitioner is alleged to have bring the stool and accused Phool Hasan poured in her mouth.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. No injury has been attributed against the petitioner. It is further submitted that the petitioner is a lady and has been falsely implicated in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the fact that the petitioner is a lady, let the above named petitioner, in the event of her arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jhanjharpur, District- Madhubani in connection with Madhepur P.S.Case No. 61 of 2011, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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