

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26222 of 2015

Arising out of PS.Case No. -415 Year- 2012 Thana -MUFFASIL District-  
WESTCHAMPARAN(BETTIAH)

Amam Hussain, son of Alim Mian, resident of Village - Guruwalia  
Kachahari, P.S. - Manuapul, District - West Champaran.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Chandra Verma

For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER

2 17-07-2015 The petitioner is apprehending his arrest in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 415 of 2012 for the offences instituted under Sections 341, 323, 427, 307 and 379/34 of the I.P.C.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that on 10.08.2012, while the informant was sitting at her door, in the meantime, all the accused persons came and declared the informant as dayeen, who had played black magic on her cow, as a result of which its milk dried and assaulted the informant and damaged the tiled roof of her house. They also committed theft of Rs. 50,000/- from the

cash box of her shop.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. Further it is submitted that from perusal of annexure-2, which is the charge sheet submitted by the police, the petitioner was not sent up for trial as the allegation against him was found to be false.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and the court below has differed with the police report has taken cognizance against the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 415 of 2012 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran at Bettiah, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)