

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52185 of 2015

Arising Out of PS.Case No. -144 Year- 2015 Thana -JAYNAGAR District- MADHUBANI

- =====
1. Md. Yaqub, son of Sheikh Yasin
 2. Sheikh Amasul @ Amasul, son of Sheikh Halim
 3. Md. Biltu, son of Late Gulshad @ Mukshed
 4. Md. Sharif, son of Late Halim
 5. Md. Mustak son of Md. Yakub (wrongly mentioned in formal FIR as Md. Yusuf son of Md. Yakub)
 6. Md. Asfaque @ Chhotke, son of Md. Yakub
 7. Md. Imtayaz @ Md. Imtayaz son of Md. Yakub
 8. Md. Aslam son of Md. Gaffar
 9. Md. Jumarat son of Md. Biltu
 10. Md. Jainnul, son of Salim Sheikh

All are residents of village Baira Idagah Tola, P.S.-Jainagar, District-Madhubani

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

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

For the Opposite Party/s : Mr. Parmanand Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 10-11-2015

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

The petitioners seek pre-arrest bail in connection with Jainagar P.S. Case No. 144 of 2015 registered under Sections 323, 324, 341, 379, 448, 504 read with 34 of the Indian Penal Code and Sections 3 & 4 of the Prevention of Witch

(Daain) Practices Act, 1999 (For short 'the Act').

It is contended that apart from Sections 3 & 4 of the Act, all other Sections of the penal code are bailable in nature. The ingredients of the offences punishable under Sections 3 & 4 of the Act are not attracted to the facts of the present case. The same has been applied simply to make the offence serious and non-bailable in nature.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released 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 the learned S.D.J.M., Madhubani in connection with Jainagar P.S. Case No. 144 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--