

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30513 of 2016

Arising Out of PS.Case No. -1765 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Sheikh Barkat @ Barakatullah Son of Sk Rashul @ Rasul Ahmad
 2. Sk Shaukat @ Md. Shaukat Ali Son of SK Rashul @ Rasul Ahmad.
 3. Shamshul Nesha Wife of Sk Rashul @ Rasul Ahmad All are Resident of Gachhi, PS Kesariya, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nazma Khatoun W/o Abdul Halim R/o Kundawan, P.S. Keshariya, Distt East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon
For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 30-08-2016 Heard learned counsel for the petitioners, complainant and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 1765 of 2014 for the offences registered under Sections 380, 323 of the Indian Penal Code and Section 34 of the Witch Craft Act.

Learned counsel for the petitioner submits that the present case has been lodged against the petitioners only on account of local village politics. It is further submitted that the complaint has been filed on the following day, even though the complainant was taken for treatment to the hospital. It is further

submitted that previously also, there was some dispute for which Sanha had been filed.

After having heard learned counsel for the petitioner and learned counsel for the complainant, it appears that there was some animosity between the parties and only for that the present case has been filed making allegation as an after thought. As such let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M., 14, Motihari in connection with Trial No. 1956 of 2016 arising out of Complaint Case No. 1765 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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