

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50325 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Latifan Khatoon, Wife of Samsuddin Mian,
2. Samsuddin Mian, Son of Adalat Mian.
3. Reyazul Mian, Son of Samsuddin Mian,
All residents of Village- Bakharia, P.S.- Majhauria, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

2 18-10-2017 Heard the learned counsel for the petitioners
and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Majhauria P.S. Case No. 98 of 2016 instituted for the
offences punishable under Sections 147, 148, 149, 323, 325, 354,
380, 384, 427, 307 of the Indian Penal Code and Section 3 /4 of
the Witchcraft Practices Prohibition Act, 1999 (Dayeen Act).

The case has been registered on the basis of the
complaint petition.



It has been submitted that the complainant (informant) and the petitioners are agnates and for land dispute, occurrence of assault took place between the parties. A police case vide Majhulia P.S. 82 of 2016 has been lodged by the petitioner No. 1 on 04.04.2016 for the occurrence dated 01.03.2016. The present police case based on the complaint petition was filed on 13.04.2016 for the occurrence dated 01.03.2016. There is also a delay of above one month in lodging the case. It further appears that the case has been compromised. The allegation of attempt to administer obnoxious substance, committing theft of household articles and assault is omnibus in nature. The case has been compromised by both the parties and so, they deserve anticipatory bail.

The learned A.P.P. for the State, on the other hand, opposed the submission.

Considering the facts and circumstances of the case, the anticipatory bail prayer is allowed. The petitioners, above named, in the event of arrest / surrender within six weeks from today, 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 learned 1st Additional Sessions Judge-cum-Special Judge, West Champaran at Bettiah in connection with



Majhaulia P.S. Case No. 98 of 2016, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sanjay Kumar, J)

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