

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19343 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Ayujub Ansari, Son of Molajim Ansari,
2. Serajul Ansari, Son of Ayujub Ansari.
3. Jeyaul Ansari, Son of Ayujub Ansari.
4. Anwarul Ansari Son of Ayujub Ansari.
5. Habija Khatoon Wife of Ayujub Ansari.
6. Nurun Nesha @ Nuru Nesha, D/o Ayujub Ansari, Wife of Mansur Ansari, all resident of village- Harihara, P.S. Sikarganj, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rehana Khatoon, wife of Maksud Ansari, Resident of village- Haraj, P.S.- Sikarganj, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s Mr. Arbind Kumar Dubey

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 05.04.2018 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Complaint case no. C-172/2017 in which cognizance has been taken for the offences punishable under sections 323, 341, 379, 354, 307, 354B, 504/34 of the Indian Penal Code and section 3/4 of the Prevention of Witch (Daain) Practice Act.

There is allegation against the petitioners that they



assaulted the complainant calling her “Daain” and forcibly put night soil into her mouth but submission on behalf of the petitioners is that petitioner no.6, namely, Nurun Nesha @ Nuru Nesha filed Complaint case no. C-148/2017 on 16.5.2017 i.e. much prior to filing of the present complaint case against the complainant and others for the offence punishable under section 498A of the Indian Penal Code and the complainant has brought the present complaint in retaliation to filing of the aforesaid Complaint case no. C-148/2017 It is further submitted that petitioner no.6 is Gutani of the complainant of the present case whereas other petitioners are father and brothers of petitioner no.6 respectively.

Considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Sikarahana at Dhaka, East Champaran in Complaint case no. C-172/2017 subject to condition as laid down under



section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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