

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.76515 of 2018

Arising Out of PS. Case No.-58 Year-2017 Thana- JHANJHARPUR District- Madhubani

-
-
1. Md. Sahanwaj @ Sahanwaj, Son of Late Sakir Husain
 2. Md. Sahajada @ Sahajada, Son of Late Sakir Husain
- Both Resident of Village-Sangram,P.S. Jhanjharpur (Arariya Sangram),
Distt.-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Adv.
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 21-12-2018 The petitioners seek bail in anticipation of their

arrest in connection with Jhanjharpur (Arariya Songram) P.S.

Case No. 58 of 2017, dated 04.06.2017, instituted for the

offences under Sections 341, 323, 448, 379, 504 and

506/34 of the Indian Penal Code and Section 3/4 of the

Prevention of Witch (Daain) Practices Act, 1999.

The learned counsel for the petitioners has



submitted that after investigation, the police did not find the allegation against the petitioners attracting offences under the Prevention of Witch (Daain) Practices Act true. As such, charge-sheet was submitted only under the bailable sections of the Indian Penal Code. It has further been submitted that differing with the police report, cognizance has been taken under Section 3/4 of the Prevention of Witch (Daain) Practices Act along with other sections of the Indian Penal Code.

This Court has further been informed that the mother of the informant had also filed a complaint against the informant of the present case in which the mother as well as the petitioner No. 2 have been injured.

It appears that the dispute lies elsewhere and the present allegation has been brought out against the petitioners with a vindictive attitude.

Considering the aforesaid facts, the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present



order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-Ist, Jhanjharpur, District-Madhubani in connection with Jhanjharpur (Arariya Songram) P.S. Case No. 58 of 2017, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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

