

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27822 of 2018

Arising Out of PS.Case No. -428 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

=====

1. LAL MOHAMMAD MIAN @ LAL MAHAMMAD @ LAL MAHAMAD, S/o Elakat Mian,
2. Sk. Noor Hoda @ Nurul Hoda S/o Late Sk. Alihaque @ Sk. Mamul,
3. Ejaj Ahmad @ Sk. Ejaj S/o Sk. Noor Hoda, All are R/o Vill.- Bhogari,
P.S.- Majhauriya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party/s : Mr. Anish Chandra, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Majhauriya P.S.Case No. 428 of 2017, registered for offences punishable under Sections 350, 457, 323, 504, 147, 149, 354 (B), and 307/34 of the Indian Penal Code and 3/4 of Witch Practices Act.

Allegation against the petitioner No. 2 is thrashing the informant on the ground and there is allegation of assault against the petitioner No. 1.

Submission of the learned counsel for the petitioners is that the police after investigation has not found any case under



the prevention of Witch Practices Act, which falsify the allegation made in the FIR and injuries are simple in nature and the complaint was filed after two days delay of the occurrence.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts that considering the facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S.Case No. 428 of 2017, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure.

With following conditions:-

- i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- ii) The petitioners will not induce any witness or tamper with the evidence.
- iii) The petitioners shall co-operate in the



investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

Sudha/-

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

