

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40925 of 2019

Arising Out of PS. Case No.-480 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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BABUNAND DAS, Male, aged about 48 years, Son of Late Chandraman Das, Resident of Village-Basantpur, P.S-Motihari Muffasil, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Patanjali Rishi, Advocate.

For the Opposite Party : Mr.Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 30.04.2019 in a case for the offence registered under Sections 147, 148, 149, 323, 307, 379, 504, 506 of the IPC and 3/4 of the Prevention of Witch (Dain)Practice Act, 1999.

The prosecution story, in brief, is that on 04.08.2018 at about 5.30 P.M., the informant Nilam Devi was sitting at her door, in the meantime, this petitioner alongwith co-accused persons forming an unlawful assembly came there and abused the informant saying her Dain. The accused persons brought her from the house, dashed and assaulted her. This petitioner (Babunand Das) wrapped clothes around her neck and with a



view to commit murder pulled it, due to which, her breaching stopped and accused Ram Pukar Das tried to cut her hair. Accused Nagina Das and Sunil Das dashed her on the ground and tried to administer human-dung to her. Accused persons entered into her house and took out Rs. 10,000/- from the box and Payal, Nose-pin etc. In the meantime, her husband Manager Das came in rescue, accused Ram Chandra Das brought Farsa from the house of Babunand Das and gave Farsa blow on the head of informant's husband causing cut and bleeding injury.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is alleged to have roped the neck of the informant. Superficial injury is said to have caused by the petitioner upon the informant. Allegation of assault upon the husband of the informant is alleged against co-accused Ram Chandra Das. The petitioner has been made accused in the present case due to previous enmity.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let



the petitioner above named, be released on bail on furnishing
bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of
the like amount each to the satisfaction of the learned C.J.M.
East Champaran, in connection with Motihari Mufassil P.S.
Case No. 480 of 2018.

(Sudhir Singh, J)

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