

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86871 of 2019

Arising Out of PS. Case No.-103 Year-2017 Thana- SUGAULI District- East Champaran

1. Akhtri Begum @ Akhtri Khatoon W/o- Rahim Khan
2. Rahim Khan S/o- Late Gula Khan
3. Chumaki Khatoon @ Chimki Khatoon D/o- Rahim Khan
4. Tajarun Nesha @ Tajarun Nesha W/o- Lal Khan
All Resident of Village- Sugaon Dih, P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bal Govind Sharma
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 17-02-2020 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Sugauli P.S. Case No. 103/2017 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 324, 307,
379, 354B and 504 of the Indian Penal Code and Section 3 / 4 of
Witch Practices Act.

The allegation of assault is against petitioner No. 2
and so far as petitioner No. 1, petitioner No. 3 and petitioner No.
4 are concerned, it is only stated that they abused the informant
and also called her witchcraft.



In the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that petitioner No.1, namely Akhtri Begum @ Akhtri Khatoon, petitioner No. 3, namely Chumaki Khatoon @ Chimki Khatoon and petitioner No. 4, namely, Tajarun Nesha @ Tajrun Nesha, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in Sugauli P.S. Case No. 103/2017 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner No. 2, namely Rahim Khan, is concerned, since the injury report has not been annexed with this petition and the order of learned 9th Additional Sessions Judge, East Champaran at Motihari does not reveal the nature of injury sustained by the injured, I do not think it proper to extend the privilege of anticipatory bail to petitioner No. 2, namely, Rahim Khan, and accordingly his prayer for anticipatory bail stands rejected.

However, it is made clear that if petitioner No. 2, namely, Rahim Khan, surrenders and seeks regular bail before



the concerned court within six weeks from today, the concerned court shall pass appropriate order on regular bail petition of petitioner No. 2, namely, Rahim Khan, without being prejudiced by this order, particularly, keeping in mind the nature of injury sustained by the injured of this case.

(Hemant Kumar Srivastava, J)

Spd/-

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