

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8294 of 2021

Arising Out of PS. Case No.-178 Year-2020 Thana- BISFI District- Madhubani

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1. ABDUL KADIR @ LADDU Son of Abdul Kaiyyum Resident of Village - Khairi Banka, P.S. - Bisfi (Aunsi O.P.), District - Madhubani.
 2. Md. Lal Babu @ Sadir Son of Abdul Kaiyyum Resident of Village - Khairi Banka, P.S. - Bisfi (Aunsi O.P.), District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate
For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 27-05-2021 Heard leaned counsel for the petitioners and learned
A.P.P. for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Bifsi (Aunsi) P.S. Case no. 178 of 2020 registered under sections 354, 448, 323, 504, 506 and 34 of the Indian Penal Code, section 12 of the POCSO Act and sections 3 and 4 of the Prevention of Witch-hunting Act.

As per allegation in the F.I.R., it is stated by the informant that while the adult members of the family were away, Md. Kasim misbehaved with his 7 year old granddaughter. It is further stated that on going and protesting before the members of his family, Md. Nasim, Md. Lalbabu and Abdul Kadir started to abuse and assault them and addressed her as a witch.



Thereafter, Abdul Qayum assaulted her with a sickle in his hand.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the F.I.R. are false and concocted. The petitioners have been falsely implicated in this case because of pending land dispute between the parties. It is further submitted that the main allegation is against Md. Kasim who has already moved for anticipatory bail before this Court. Further the allegation of assault is not on the petitioners but on Sabir. The petitioners are in custody since 14.10.2020 and 1.7.2020 respectively. Chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the allegations against the petitioners in the F.I.R. and the period in custody, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Bifsi (Aunsi) P.S. Case No. 178 of 2020 (G.R. No. 21 of 2020) on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-VII-cum-Special Judge, POCSO Act, District-
Madhubani.

(Partha Sarthy, J)

Spd/-

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