

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7108 of 2022

Arising Out of PS. Case No.-319 Year-2021 Thana- NARPATGANJ District- Araria

1. Mahmood @ Md. Mahmood Son Of Md. Shahid R/O Village- Rewahi, Ward No.9, P.S.- Narpatganj, District- Araria
2. Md. Anis @ Anis Son Of Md. Israfil R/O Village- Rewahi, Ward No.9, P.S.- Narpatganj, District- Araria
3. Md. Rahul @ Rahmatullah Son Of Md. Israfil R/O Village- Rewahi, Ward No.9, P.S.- Narpatganj, District- Araria
4. Md. Mahab @ Mahtab Alam Son Of Quaiyum R/O Village- Rewahi, Ward No.9, P.S.- Narpatganj, District- Araria
5. Md. Azad @ Akram Azad Son Of Md. Sagiruddin R/O Village- Rewahi, Ward No.9, P.S.- Narpatganj, District- Araria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 354(B), 379 and 504/ 34 of the Indian Penal Code and Section 3/ 4 of the Witchcraft Act.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 25.06.2021 in the night at around



11.30 P.M., all the accused persons including the petitioners came to her house and humiliated her by addressing her as Witch. It is next alleged that they even tried to administer filthy substance to the informant and even outraged her modesty by tearing her clothes. It is next alleged that Shahid assaulted the informant by iron rod causing fracture injury of the hand and Md. Anis inflicted farsa blow causing injury on the hand, thereafter Md. Rahul assaulted Shabnam Khatoon and outraged her modesty and thereafter, Sohrab committed theft of Rs.15,000/-.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that as far as allegation of causing grievous injury to the informant is concerned, the same is alleged against Shahid. It is next submitted that from perusal of the injury report of the informant, it would manifest that she suffered one grievous injury i.e. fracture of hand. It is further submitted that the injury report does not record that the injured suffered cut injury as alleged.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned



counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Narpatganj P. S. Case No.319 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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