

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21072 of 2021

Arising Out of PS. Case No.-440 Year-2018 Thana- MADHUBANI TOWN District-
Madhubani

-
1. MD. KALAM Son of Abdus Salam Resident of Village- Kotwali Chowk, Ward No. 30, Madhubani, P.S. and District- Madhubani.
 2. Md. Imam Son of Abdus Salam Resident of Village- Kotwali Chowk, Ward No. 30, Madhubani, P.S. and District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-01-2022 Heard Mr. Ratnakar Jha, learned Advocate for

the petitioners and Mr. Akhileshwar Dayal, learned APP

for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Town P.S. Case No. 440 of

2018 dated 07.12.2018 corresponding to C.R.I. No.

2446/18 instituted for the offences under Sections 341,

323, 379, 354(B), 324 and 504/34 of the Indian Penal

Code and Section 3/4 of the Witch Craft Act in which

Section 307 IPC was added at the instance of the



supervising police officer.

Learned counsel for the petitioners has submitted that on the allegation of practicing sorcery, the prosecution side has been assaulted. The injuries suffered by the victims are stated to be simple in nature.

Learned counsel for the petitioners has drawn the attention of this Court to the fact that there has been a series of litigation in the past between the parties. Precisely for such litigative nature of the parties, the petitioners have been made accused in three other cases in which the prosecution side is the same and in all such cases, the petitioners have been granted bail.

The accusation, it has been urged, appears to have been exaggerated overly. There is case and counter case and considering these aspects of the matter, some of the other accused persons of this case have been granted bail by different Benches of this Court.

For the aforementioned reasons, the petitioners are directed to be released on bail, in the event of their



arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with Town P.S. Case No. 440 of 2018 dated 07.12.2018 corresponding to C.R.I. No. 2446/18, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

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

