

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26490 of 2022

Arising Out of PS. Case No.-419 Year-2019 Thana- MOTIPUR District- Muzaffarpur

MD. PRAWEZ @ MD. PERVEZ SON OF MD. FIROJ R/O VILLAGE-
SANDHA DAMBAR, WARD NO.- 13, P.S.- MOTIPUR, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-10-2022 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 307, 376 and other ancillary sections of the Indian Penal Code, Section 3/4 of The Prevention of Witch (Daain) Practices Act.

As per the prosecution case, on 10.06.2019 at about 2 PM, while the informant / complainant was at her home, the accused persons including petitioner entered in the home and destroyed the household articles, assaulted family members and also tried to outrage her modesty.

It is submitted on behalf of petitioner that there is general and omnibus allegation and no specific overt act has been alleged against this petitioner. As per the FIR it was co-



accused Md. Firoz who attempted to commit rape on the informant. Parties are agnate. Present case is counter blast of Motipur P.S. Case No. 305 of 2019 filed against husband of informant and others. As per injury report, nature of injury has been found to be simple in nature.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 2nd, West Muzaffarpur in connection with Motipur P.S. Case No. 419 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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