

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47931 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- MANSURCHAK District- Begusarai

1. RAJU SAH @ MD. FAIYAZ Son of Munna Sah @ Shahid Sah Resident of Village - Temuha Ward No.10, Via P.S.- Mansoorchak, Distt.- Begusarai.
2. Shannawaz Sah @ Snahnawaz Sah Son of Munna Sah Resident of Village - Temuha Ward No.10, Via P.S.- Mansoorchak, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshay Lal Pandit

For the Opposite Party/s : Ms. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-02-2022 Today being Friday, matters are being taken up through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioners, learned APP for the State and the learned counsel representing on behalf of respondent through virtual mode.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in connection with Mansoorchak P.S. Case No. 30 of 2021 (G.R. No. 773/2021) registered under Sections 147, 149, 341, 323, 354A, 379, 308, 504 and 506 of the



Indian Penal Code and Section 3/4 Prevention of Witch (Daain)
Practice Act.

The F.I.R. alleges that all accused persons, including the present petitioners, have come to the informant's *darwaja* and indulged in indiscriminate assault, use of abusive language and misbehaving with, and disrobing of the female family members of the informant. Against petitioner no. 1, there is allegation of assault on head of the nephew of the informant. Against petitioner no. 2, there is allegation of using filthy language and outraging the modesty of the wife of the informant.

Learned counsel for the petitioner submits that implication is based on extraneous considerations arising out of local village issues. Parties realising their mistake have subsequently filed a compromise petition dated 17.04.2021 (Annexure 2). These facts are specifically supported by counsel for the informant.

The petitioners having no criminal antecedents as per submission made in the bail application have also remained in custody since 09.04.2021. Parties have also come to terms. This Court is, therefore, inclined to allow the prayer for bail.

Prayer for bail of the petitioners is allowed. Let the petitioners above named be released on bail on furnishing bail



bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai in Mansoorchak P.S. Case No. 30 of 2021 (G.R. No. 773/2021), subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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