

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43130 of 2022

Arising Out of PS. Case No.-63 Year-2022 Thana- JHAJHA District- Jamui

VISHUNDEO YADAV Son of Dinesh Yadav Resident of village- Baliyo, P.S-
Jhajha, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 448, 341, 323, 354, 379, 504, 427 and 34
of the IPC and u/s 3/4 of Prevention of Witch(Daain) Practices
Act.

Allegedly, the accused persons named in F.I.R. including
the petitioner started calling the informant witch and when she
protested, all the accused persons started assaulting her with fist
and slap. Petitioner tried to outrage her modesty by pulling her
saree.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case with ulterior motives to harass the petitioner. No such occurrence, in the manner as alleged, has ever taken place. It is further submitted that a land dispute is going on between the both parties. The date of occurrence is 22.02.2022 however the FIR was registered on 26.02.2022 which shows a delay of 4 days in lodging the FIR without giving any reasonable explanation. The specific allegation against the petitioner is of outraging the modesty of the informant which is nothing but imagination of the evil mind with a sole intention to harass and humiliate the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail submitting that there is specific allegation against the petitioner of outraging the modesty of the informant.

Having regard to the facts and circumstances of the case, since there is a land dispute between the parties and there is delay in filing of FIR, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned court below where the case is pending/Successor Court in connection with Jhajha P.S. Case No. 63 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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