

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66060 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- NAUTAN District- West Champaran

Omprakash Mahto S/O Rakat Mahto R/O Village- Banhaura, P.S- Nautan,
District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 341, 323, 324, 307, 379, 504/34 of the Indian

Penal Code and Section 3 /4 of the Prevention of Witch

Practices Act.

It is alleged that all the F.I.R named accused

persons started abusing the informant by calling her a

witch and when the informant and her son made protest,

co-accused Naresh Mahto assaulted with farsa on his



head whereas this petitioner assaulted with sword on the head of the son of the informant, as a result of which, he got badly injured.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is counter version of the occurrence. Moreover, the injuries sustained by the informant and her son were found to be simple in nature caused by hard and blunt substance which itself contradict the prosecution version. The petitioner is languishing in custody since 05.09.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned counsel appearing on behalf of the informant and learned A.P.P for the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-



(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Chief Judicial
Magistrate, Bettiah, West Champaran in connection with
Nautan P.S. Case No. 64 of 2022.

(Sunil Kumar Panwar, J)

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