

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4641 of 2025

Arising Out of PS. Case No.-339 Year-2024 Thana- DAWATH District- Rohtas

Shekh Saddam @ Sek Saddam Son of Shekh Mosihuiddin Resident of village-
Sahinaw, PS- Dawath, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sudama Singh, Advocate Mr.Surendra Kumar Mishra, Advocate Mr.Shashi Kant, Advocate
For the Opposite Party/s :		Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 15-05-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Dawath P.S. Case No. 339/2024 registered for the offences under Sections 191(2), 115(2), 74, 76, 351(2), 352 and 79 of B.N.S. and Sections 3, 4 and 5 of Prevention of Witch (Daain) Practices Act, 1999.

3. The prosecution case in nutshell is that the informant has submitted a written report stating therein that on 18.10.2024, the sister of Shekh Saddam(petitioner) namely Reshma Khatoon had died due to some kidney issue and due to which, on 19.11.2024, the informant along with



her family was present at the petitioner's house. However, it has been stated that the petitioner along with other named co-accused persons came at the door of the house and alleged the informant to be a witch and had forcefully shaved half of her head and threatened her that she would be forced to drink urine. It has further been stated that the informant was treated in the government hospital and thereafter FIR was lodged.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to family dispute. Learned counsel further submits that the informant is the own maternal aunt (*mausi*) of the petitioner. Learned counsel further submits that other co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court. Learned counsel further submits that the allegations levelled against the petitioner are general and omnibus in nature. It is lastly submitted that the petitioner has one criminal antecedent on which he is on bail and is languishing in custody since 15.11.2024.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner.



6. Considering the aforesaid facts and circumstances of the case and taking into account that the allegations levelled against the petitioner are general and omnibus in nature and other co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bikramganj (Rohtas) in connection with Dawath P.S. Case No. 339/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the afore-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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