

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51706 of 2015**

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1. Ashok Mishra @ Chhotka Babua  
2. Krishna Nand Mishra @ Barka Babua Both  
Both sons of Late Deoman Mishra, resident of village- Derhgaon,  
P.S.- Dawath, District- Rohtas at Sasaram

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

ORAL ORDER

2      09-11-2015                      Heard learned counsel for the petitioners, learned  
counsel for the informant and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with  
Dawath P.S. Case No.78 of 2015 registered under Sections 341,  
323 and 504 of the Indian Penal Code as well as Sections 3, 4 and  
5 of the Prevention of Witch (Daain) Practices Act.

It is contended that the entire allegations are false and  
fabricated. It is admitted in the FIR that the informant has  
sustained no injury. The instant FIR has been filed with ulterior  
motive.

On the other hand, learned counsel for the informant has  
vehemently opposed the application filed on behalf of petitioners.

He has submitted that the offences alleged are serious in nature.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the above named petitioners are directed to 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 Sri Rajesh Kumar, Judicial Magistrate, 1<sup>st</sup> Class, Bikramganj, Rohtas at Sasarm in connection with Dawath P.S. Case No.78 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J)**

Md.S./-

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