

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46328 of 2015

Arising Out of PS.Case No. -73 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

1. Aditya Mistry @ Adit Mistry son of Late Thakur Mistry, resident of Village- Bar, P.S. Sherghati, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Geeta Devi W/o Shivnandand Mistry, resident of Village- Bar, P.S. Sherghati, District- Gaya.

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. D.P.Tiwary(APP)

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

3 13-10-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Aditya Mistry @ Adit Mistry, in connection with Complaint Case No.73 of 2013, giving rise to Trial No. 23 of 2014, under Section 376 of the Indian Penal Code and Sections 34 of the Prohibition of Witchcraft Act.

Perused the above application and materials on record.

Heard Mr. Amit Kumar Singh, learned Counsel for the petitioner, and Mr. D.P. Tiwary, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 27.06.2015 in connection with the case aforementioned and perusal of the materials available does not

reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sherghati, in connection with Complaint Case No. 73 of 2013.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application shall stand disposed of.

(I.A. Ansari, ACJ.)

Mkr./-

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