

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22758 of 2016

Arising Out of PS.Case No. -35 Year- 2011 Thana -IMAMGANJ District- GAYA

=====

Karu Paswan son of late Bilash Paswan Resident of Village- Chapadi, PS
Imamganj, District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate.

For the Opposite Party/s : Mr. Ram Naresh Roy(App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 26-05-2016 Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with
Imamganj P.S. Case No. 35 of 2011 registered for the offence
punishable under Section 302/34 of the Indian Penal Code and ¾
of the Prevention of Witch Practices Act, 1999.

Allegedly, F.I.R. named nine persons including the
petitioner assaulted Kesri Devi, the wife of the informant with fists
and slaps causing her death with allegation that she was practicing
dyne.

Submission is of false implication and that there is
no specific allegation against the petitioner, the allegations are
general and omnibus in nature. Similarly situated co-accused
Sukhdeo Paswan has already been allowed bail vide Criminal

Misc. No. 39393 of 2014 vide Annexure-2 and, as such, the petitioner also deserves sympathetic consideration to which the learned APP does not dispute.

In the facts and circumstances stated above, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya in connection with Imamganj P.S. Case No. 35 of 2011, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

Mishra/-

(Jitendra Mohan Sharma, J.)

U		T	
---	--	---	--