

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25901 of 2015

Arising Out of PS.Case No. -35 Year- 2015 Thana -IMAMGANJ District- GAYA

- =====
1. Ramji Mistry son of Jagdis Mistry resident of village Gangati.
 2. Munshi Mistry son of Late Fakira Mistry,
 3. Kaushalya Devi @ Kaushaliya Devi wife of Munni Mistry Both resident of village Karasan all P.s. Imamganj District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Mr. Aditya Nr. Singh1 (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 06-01-2016 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioners apprehend their arrest in connection with Imamganj P.S. Case No. 35 of 2015 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code and Section 3/4 of the Witches Practices Act.

Earlier the case diary has also been called for, which has since been received.

Learned counsel for the petitioner submits that the allegation has been made against the petitioner that they had threatened to kill the mother of the informant as she was a witch. Subsequently, after some puja, having been performed in her

home, she was missing and therefore, it was alleged that these petitioners might have done to death the mother of the informant. Later on, her body was found in a well. It is further submitted that such a bald allegation could not be sustained as there was no eye witness to the occurrence.

Considering the nature of allegation made against the petitioners and also the fact that the petitioners have no criminal antecedents, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Sherghati, Gaya in connection with Imamganj P.S. Case No. 35 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Jagdish/-

(Anjana Mishra, J)

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