

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50713 of 2016

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

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1. Balkeshwar Paswan son of Sahdeo Paswan
 2. Suresh Paswan son of Balkeshwar Paswan
 3. Ram Kishun Paswan son of Late Mahavir Paswan
 4. Sabitri Devi wife of Sukhdeo Paswan All residents of Village- Chakari, 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. Arvind Kumar Singh
For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Petitioners, Balkeshwar Paswan, Suresh Paswan, Ram Kishun Paswan and Sabitri Devi, are languishing in custody since 11.08.2016 in connection with Imamganj P.S. Case No. 35 of 2011 registered under Sections 302/34 of the Indian Penal Code and Section 3/4 of Prevention of Witch Practices Act, 1999.

3. Nine persons have been named in the F.I.R. Allegation against these petitioners is that they assaulted Keshri Devi, wife of the informant, with fists and slaps by calling her Daain, resultantly, she died.

4. Learned counsel for the petitioners submitted that there is general and omnibus allegation against these petitioners and they have



been falsely implicated in this case. These petitioners have no criminal antecedents. Learned counsel for the petitioners further submitted that two co-accused namely, Karu Paswan and Sukhdeo Paswan have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 22758 of 2016 and Cr. Misc. No. 39393 of 2014, respectively.

5. Considering the facts and circumstances of the case and the fact that the two co-accused, having similar allegation, have already been granted bail by a co-ordinate Bench of this Court, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

Brajesh/-

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(Arvind Srivastava, J.)

