

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42494 of 2016

Arising Out of PS.Case No. -248 Year- 2015 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Vashistha Mishra S/O Shiv Shankar Mishra, Resident of Village-
Mishrauli, P.S.- Chanpatia, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 18-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Chanpatia P. S. Case No. 248 of 2015, disclosing offences under Sections 147, 341,323,307,379,149 of the Indian Penal Code & ¾ of the Witch Practices Act.

Learned Counsel for the petitioner has submitted that the police upon completion of investigation have submitted charge-sheet under Section 308 of the Indian Penal Code and not under Section 307 of the Indian Penal Code. He has also submitted that allegation of commission of offence under Section ¾ of the Witch Practices Act have also not been found to be true in the police report.

Learned counsel appearing on behalf of the informant has vehemently opposed the prayer for anticipatory bail.

Considering the fact, which is not in dispute that the police upon completion of investigation have already submitted charge-sheet, this application is allowed. Let petitioner above named in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rakesh Kumar Tiwari, learned A.C.J.M-V, Bettiah, West Champaran in Chanpatia P. S. Case No. 248 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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