

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26137 of 2016

Arising Out of PS.Case No. -72 Year- 2016 Thana -DAUDNAGAR District- AURANGABAD

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Bhola Paswan S/o Kirani Paswan @ Kirani resident of village- Hari Nagar
Tarar, P.S.- Daudnagar, District- Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Choubey Jawahar, Advocate

For the State : Mr. Md. Ashlam Ansari, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 11-07-2016 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offences punishable under sections 436 and 304(A) of the Indian Penal Code and sections 3/4 of the Prevention of Witch Practices Act, 1999.

It is contended on behalf of the petitioner that the informant lodged a First Information Report alleging that the petitioner works as “Ojha”(witch doctor) and he was performing Havan due to which his house and neighbouring house were burnt. It is further contended that wild allegation has been made against the petitioner and there is no iota of evidence that the petitioner was involved in practice of witch doctor and due to which his own house was burnt. It is also contended that only on the basis of the

suspicion the First Information Report was lodged as the occurrence was merely an accident.

Having regard to the facts and circumstances of the case, let the abovenamed petitioner, namely, Bhola Paswan, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Daudnagar Police Station Case No. 72/2016 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Aurangabad, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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