

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9008 of 2016

Arising Out of PS.Case No. -23 Year- 2015 Thana -IMAMGANJ District- GAYA

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Kaushalya Devi W/o Sri Awadhesh Mistry, Resident of Village -
Shankarpur, P.S. - Imamganj, District - Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 24-05-2016 Heard Mr. Krishna Prasad Singh, the counsel for the

petitioner and Mr. Ram Chandra Singh, APP for the State.

The petitioner herein seeks anticipatory bail in
Imamganj P.S. Case No. 23 of 2015, registered under Sections
302, 201, 120(B)/341, I.P.C and ¾ of Prevention of Witch
Practices Act.

16 years old daughter of the deceased lodged the case
that on the alleged date of occurrence, the petitioner visited the
house, talked to her mother and then persuaded to her to go along
with her. Few days thereafter, the dead body of her mother was
found in the river. The informant has suspected the hands of the
accused persons named in the First Information Report as the
deceased was practicing witch craft.

Contention of the petitioner is that it is not alleged that anybody from the family of the petitioner suspected the deceased as Dian. It is at best a case of last seen.

Learned APP opposed the prayer and submitted that petitioner appears to be the conspirator in the killing of the victim. She had taken the deceased out of home whereafter she was killed.

On going through the allegations and considering the materials on record, in my view, it is not a fit case where the petitioner should be extended the privilege of anticipatory bail. The prayer is rejected.

The court below shall consider and dispose of the same on its own merit unprejudiced by the present order.

(Kishore Kumar Mandal, J)

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