

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11731 of 2018

Arising Out of PS.Case No. -263 Year- 2017 Thana -DIGHA District- PATNA

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1. Sheo Bhajan Pandit son of late Moti Pandit
 2. Chandan Kumar
 3. Sunny Kumar

Sl No. 2 and 3 are sons of Sheo Bhajan Pandit, all resident of village-
Makhdumpur Digha, P.S.- Digha, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur, Advocate

For the Opposite Party/s : Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 27-02-2018

Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection
with Digha P. S. Case No. 263 of 2017 registered under
Sections 341, 323 and 504/34 of the Indian Penal Code and 3
and 4 of Witch Practices Act, 1999.

It is submitted by the learned counsel for the
petitioners that the case has been instituted as a result of long
enmity between the family of the petitioners and the informant
owing to petty issues as they happen to co-villagers of the same
village. It is submitted that the offences alleged under the



Indian Penal Code are all bailable, except Sections 3 and 4 of the Witch Practices Act. It is submitted that in view of the allegations made in the first information report, the ingredients of the offences alleged under Sections 3 and 4 of the Witch Practices Act are not attracted.

Learned Additional Public Prosecutor for the State opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the nature of allegation and the facts and circumstances of the case, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sub-divisional Judicial Magistrate, Patna in Digba P. S. Case No. 263 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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