

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4477 of 2018

Arising Out of PS.Case No. -262 Year- 2016 Thana -FATEHPUR District- GAYA

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Upendra Mistri S/o Gauri Mistri , R/o Village-Nimi, P.S.- Fatehpur,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-02-2018 Heard the learned counsels for the petitioner and the

State.

The petitioner seeks bail in anticipation of his arrest in connection with Fatehpur P.S. Case No. 262 of 2016 dated 05.10.2016 instituted for the offences under Sections 341, 323, 504, 308 and 34 of the Indian Penal Code and Sections 3/4 of the Prevention of Witch Craft (Daain) Practices Act, 1999.

The petitioner is the sister-in-law of the informant.

It has been alleged in the FIR that the petitioner insinuated the informant of practicing witchcraft and also assaulted her by a hard and blunt substance.

Learned counsel for the petitioner has submitted that because of the land dispute between the two brothers, viz. between



the petitioner and the husband of the informant, the present case has been lodged. That apart, it has been submitted that none of the allegations levelled in the FIR are correct and only with a view to put some pressure on the petitioner, the present case has been lodged. The injuries suffered by the informant are simple in nature.

Considering the aforesaid facts and the relationship between the parties, the petitioner above named is directed to be released in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Fatehpur P.S. Case No. 262 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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