

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.37508 of 2019**

Arising Out of PS. Case No.-362 Year-2018 Thana- GOGRI District- Khagaria

LUKHO MALLIK Son of Muni Mallik Resident of Village-Mushkipur, P.S.-  
Gogri, District-Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Indrajit Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER**

3      18-09-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in connection with  
Gogri P.S. Case No. 362 of 2018 registered for the offences  
punishable under sections 302, 201 and 34 of the Indian Penal  
Code.

As per allegation in the FIR, 8 named accused persons  
along with 8-10 unknown persons are said to have forcibly  
taken the father of the informant for the treatment of his son by  
exorcism. It is thereafter stated that son of the informant died in  
course of treatment in Begusarai. Subsequently informant  
received an information about the dead body of her father being  
recovered.

It is submitted by the learned counsel for the



petitioner that there is no eye witness to the occurrence. The allegations as made in the FIR are false and concocted. From the FIR it would transpire that son of the petitioner was being treated in Begusarai. The petitioner is in custody since 02.11.2018 and has no criminal antecedent. It is further submitted that investigation has concluded with submission of charge-sheet.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances including the petitioner being in custody since 02.11.2018, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Gogri P.S. Case No. 362 of 2018.

**(Partha Sarthy, J)**

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