

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37506 of 2020**

Arising Out of PS. Case No.-301 Year-2018 Thana- KADWA District- Katihar

RAJESH KISKU Son of Sukhdeo Kisku Resident of Village - Bindha Bari,
P.S.- Kadwa, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilas Roy Raman, A.P.P.

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

3 09-03-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the instant application for regular bail in connection with Kadwa P.S. Case no. 301 of 2018 registered under sections 302 and 120B of the Indian Penal Code and section 3 / 4 of the Prevention of Witch (Dian) Practice Act, 1999.

As per the allegation in the first information report, it is stated that the petitioner and others used to call the second wife of the informant to be witch. It is stated that on the night of occurrence, on hulla being raised by his second wife, the informant woke up and saw that his grandson Matla Kisku who had assaulted her on her head. She died subsequently.

It is submitted by learned counsel for the petitioner



that the informant and the accused persons are related, the petitioner being the grandson of the informant. The allegation of overt act is on co-accused Matla Kisku and not this petitioner. The petitioner is in custody since 25.8.2018 and has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner being in custody since 25.8.2018, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Kadwa P.S. Case no. 301 of 2018 (S.Tr. no. 1/2019) on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI, Katihar.

(Partha Sarthy, J)

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