

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59357 of 2021

Arising Out of PS. Case No.-115 Year-2021 Thana- AMAS District- Gaya

1. SATENDRA BHUIYAN S/o- Sudeshi Bhuiyan Resident of Village - Baliyari Tola Laladih, P.S. - Amas, Distt. Gaya.
2. BABUNI BHUIYAN S/o- Munarik Bhuiyan Resident of Village - Baliyari Tola Laladih, P.S. - Amas, Distt. Gaya.
3. NANKA BHUIYAN S/o- Munarik Bhuiyan Resident of Village - Baliyari Tola Laladih, P.S. - Amas, Distt. Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-03-2022 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 302 and some other allied Sections of the Indian Penal Code and u/s 3/4 of Witchcraft Act.

As per the prosecution case, all the 8 FIR named accused persons, including these petitioners, entered into the house of informant and assaulted her husband and when she tried to save her husband the accused persons assaulted her due to which both of them sustained injuries and husband of informant died during the course of treatment.



Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. No such occurrence as alleged in the FIR has ever taken place and the entire prosecution case is false and concocted. There is general and omnibus allegation against the 8 FIR named accused persons and no specific overt act has been alleged against these petitioners. During the course of investigation it has come that after treatment deceased returned from PHC and subsequently died in his house. Petitioners claim clean antecedent and are in custody since 18.05.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st class, Sherghati, Gaya in connection with Amas PS case No.115/2021.

(Prabhat Kumar Singh, J)

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