

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1626 of 2022**

Arising Out of PS. Case No.-302 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Suryadev Singh Son of Late Rambilash Singh Resident of Village - Chapta
Najirpur, P.S.- Muffasil, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 18-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Samastipur (M) P.S. Case No. 302 of 2021 registered under
Sections 302 and 34 of the Indian Penal Code read with
Sections 4, 5 and 6 of the Prevention of Witch Practices (Dian)
Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.08.2021, is a person with clean
antecedent, charge-sheet has been submitted in the case and the
informant alleges that the accused persons including the
petitioner came to the house of the informant looking for his
mother with an intention to kill on the pretext that she is a witch,
further they saw the deceased at the tea shop where on orders of



Munni Devi accused Balbir Singh and Balram Singh thrashed her brutally killing her, as Munni Devi said that deceased has killed her son.

The learned counsel submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the allegation of assaulting the deceased is against Balbir and Balram and as for as this petitioner is concerned, no overt act has been alleged against him.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 30.08.2021, is a person with clean antecedent and charge-sheet has been submitted in the case and no overt act has been alleged against him, the petitioner above named is 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 the learned court below where the case is pending/successor court in connection with Samastipur (M) P.S. Case No. 302 of 2021.

(Satyavrat Verma, J)

ved/-

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