

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12291 of 2023

Arising Out of PS. Case No.-140 Year-2022 Thana- ROSHANGANJ District- Gaya

Kishori Chaudhary, aged about 36 years, Male, Son of Late Ramratan
Chaudhary R/V- Raksi, P.S- Raushanganj, (Banke Bazar) Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner seeks bail in connection with Roushanganj P.S. Case No. 140 of 2022 dated 23.06.2022 registered for the offence punishable under Sections 302, 120 (B), 34 of the Indian Penal Code and $\frac{3}{4}$ of Prevention of Witch (Dyan) Practice Act.

3. The prosecution case, in short, is that on 23.06.2022 at about 1:00 A.M., the mother of the informant Budhan Devi was assaulted by means of sharp edge weapon while she was sleeping on the roof of her house by the accused person named in the F.I.R. including the petitioner. The mother of the informant was taken to P.H.C., Banke Bazar but she died during



course of treatment. The informant further stated that her mother was suspected to be a “Dyan” and the accused person had threatened to kill her and two other women of the village. It is also alleged that one of the accused, namely, Suraj Kumar was caught by the villagers but in the meantime his father namely Kishori Chaudhary (Petitioner) came there and took away his son.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that there is no eye witness to the occurrence and petitioner has been implicated in this case due to dirty village politics. The petitioner had no enmity or motive to commit the occurrence. The petitioner is in custody since 24.06.2022 and charge-sheet has been submitted in the case. The petitioner has no criminal antecedent.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-I, Sherghati, Gaya in connection



with Roushanganj P.S. Case No. 140 of 2022.

(Khatim Reza, J)

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