

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5952 of 2023

Arising Out of PS. Case No.-300 Year-2018 Thana- BARACHATTI District- Gaya

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1. Rajesh Saw S/O Late Tribhuwan Saw Resident Of Village- Kabaliya Somiya P.S.- Barachatti District- Gaya (Bihar).
 2. Guddu Saw S/O Late Ram Lal Saw Resident Of Village- Kabaliya Somiya P.S.- Barachatti District- Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Ranjan
For the Opposite Party/s : Mr.Pushpa Sinha. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 307, of the IPC and Sections 3/4 of Prevention of Witch practices Act and Section 27 of the Arms Act.

As per prosecution case, all the nine FIR named and five unknown accused persons including these petitioners armed with several weapons came at the house of the informant and assaulted his wife, due to which she



died on the spot.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. There is no specific allegation against these petitioners rather it is a general and omnibus allegation against them. They have got no criminal antecedent. As per postmortem report no case is made out against the petitioners. Similarly situated co-accused, namely, Kailash Singh has already been granted bail by a coordinate Bench of this Court vide order dated 02.04.2019 passed in Cr. Misc. No. 19498 of 2019. It is further submitted that the petitioner is languishing in judicial custody since 05.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barachatti P.S. Case No. 300 of 2018 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya (Bihar).

(Sunil Kumar Panwar, J)

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