

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64723 of 2025

Arising Out of PS. Case No.-63 Year-2000 Thana- FATEHPUR District- Gaya

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Anuj Chauhan S/O Chanarik Chouhan @ Sukar Chauhan Resident of Village-
Narainpur, P.S. Fatehpur, District- Gaya(Bihar), At present, resides at village-
Beldari Chak, PS-Karona(Jehanabad), Distt-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 01-12-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Fatehpur P.S. Case No. 63 of 2000, instituted for the offences
punishable under Sections 323, 302, 201, 34 of the Indian Penal
Code, Sections 3, 4, 5 and 6 of Prevention of Witch Practice
Act.

3. The prosecution case, in short, is that on account of
mob frenzy, wife of Bhagewat Chauhan and Raghunath
Chauhan were done to death by the petitioner along with other
co-accused persons as a rumor spread in the village that the two
ladies were witches and playing black magic.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that no specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. It is next submitted that the allegation is against 26 named accused persons and 50-60 unknown persons. The petitioner is in custody since 10.03.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 13.08.2009 passed in Cr. Misc. No. 22902 of 2009.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. In compliance of the order dated 24.09.2025, a report dated 03.11.2025 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that charge has been framed against the petitioner. It is further reported that summons for witnesses have been issued and the trial is likely to be concluded within a period of one year.



7. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner as also present stage of the case, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Fatehpur P.S. Case No. 63 of 2000.

(Rudra Prakash Mishra, J)

Rajorshi/-

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