

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45596 of 2014

Arising Out of PS.Case No. -123 Year- 2013 Thana -KAUAKOL District- NAWADA

- =====
1. Anita Devi, Wife of Umesh Mandal
 2. Radhiya Devi, Wife of Subash Mandal
 3. Renu Devi, Wife of Vijay Mandal, All resident of village- Kharhasari, P.S.- Kawakole, District- Nawada

.... Petitioners

Versus

1. The State of Bihar
2. Urmila Devi, Wife of Hiralal Mandal, resident of village- Jorawahdih, P.S.- Kawakole, Dist.- Nawada.

.... Opposite Parties

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with

Criminal Miscellaneous No.11469 of 2015

Arising Out of PS.Case No. -123 Year- 2013 Thana -KAUAKOL District- NAWADA

- =====
1. Vijay Mandal, Son of late Ramji Mandal
 2. Umesh Mandal, Son of late Ramji Mandal
 3. Subhash Mandal, Son of late Ramji Mandal. All resident of village - Kharhasari, P.S. Kawakole, Dist - Nawada.

.... Petitioners

Versus

1. The State of Bihar.
2. Urmila Devi, wife of Hiralal Mandal, resident of village Jorawahdih, P.S. Kawakole, Dist - Nawada.

.... Opposite Parties

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Appearance :

(In Cr.Misc. No.45596 of 2014)

For the Petitioner/s : Mr. Gauri Shankar Prasad

For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

(In Cr.Misc. No.11469 of 2015)

For the Petitioner/s : Mr. Gauri Shankar Prasad

For the Opposite Party/s : Mr. Uma Nath Mishra (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 29-04-2015

Heard learned counsel for the petitioners.

Since the allegations against the petitioners in

both the petitions are same, both petitions are being decided by a common order.

The petitioners apprehend their arrest in connection with Kawakole P.S. Case No. 123 of 2013 instituted for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case as per written petition of the informant Urmila Devi, wife of Hiralal Mandal is that the informant Urmila Devi, wife of Hiralal Mandal lodged the First Information Report stating therein that she had married her daughter Bibha Devi ten years ago with one Ajay Mandal, son of late Ramji Mandal of village Kharhasari. From the said wedlock, she got two children. It was further stated that on 15.11.2013 one Babita Devi and one Indu Devi of village Kharhasari asked the daughter of the informant Bibha Devi for Rs. 25,000/- which Bibha Devi had took from them. The informant's daughter Bibha Devi told them that she will return the money after taking the same from her husband and *Bhaisurs*. After returning to her house when she asked for the money, altercations started with her husband and her three Bhaisurs who are petitioners in Cr. Misc. No. 11469 of 2015 and elder Gotnis who are petitioners in Cr. Misc. No. 45596 of

2014 due to which all the accused persons named in the First Information Report have murdered the informant's daughter by giving her poison and disposed of the dead body immediately.

Considering the allegations and since the petitioners are named in the First Information Report, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, both the petitions are dismissed in connection with Kawakole P.S. Case No. 123 of 2013, pending in the court of the learned Judicial Magistrate, 1st Class, Nawada.

(Nilu Agrawal, J.)

Sanjay/-

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