

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38032 of 2014

Arising Out of PS.Case No. -15 Year- 2014 Thana -ARIYARI District- SEKHPURA

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1. Jageshwar Yadav S/o Late Pitamber Yadav
2. Sanjay Yadav S/o Sri Jageshwar Yadav
Both resident of Village- Aruara, P.S.-Ariari, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amiya Kunal
For the Opposite Party/s Mr. Rana Randhir Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 23.06.2015 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Ariari P. S. case no. 15/2014 registered under sections 302,
201/34, 498A of the Indian Penal Code and 3/ 4 of the D.P. Act.

Petitioner no.1 is father-in-law whereas petitioner
no.2 is brother-in-law of the deceased. In course of
investigation, statement of the informant was recorded at para 2
of the case diary and he supported the prosecution case but in
course of investigation, some witnesses do not support the
prosecution case and after that the Investigating officer, again,
recorded the statement of the informant at para 61 of the case
diary in which he admitted that having got information
regarding death of the deceased, he came there and thereafter,

in-laws of the deceased informed him that the deceased died of diarrhoea. Informant also admitted that he participated in cremation of the deceased. Furthermore, para 82 of the case diary reveals that deceased was taken to clinic of one private doctor where she got treatment and the aforesaid fact has been stated by the doctor who gave treatment to the deceased prior to her death.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the above named petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sheikhpura in Ariari P. S. case no. 15/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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