

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34835 of 2014

Arising Out of PS.Case No. -228 Year- 2012 Thana -KISHUNPUR District- SUPAUL

- =====
1. Bijay Kumar Mukhiya @ Vijay Kumar Mukhiya .
 2. Sanjay Kumar Mukhiya @ Sanjay Mukhiya @ Sanjay Kumar
 3. Usha Devi all resident of village Tharbitta Goriyahi Tola, P.S. Kishanpur, Dist. Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Md.Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 11-03-2015

Heard both sides.

The petitioners apprehend their arrest in a case registered under section 302/34 of the Indian Penal Code.

The The informant made specific allegation that Bijay Kumar Mukhiya and Sanjay Kumar Mukhiya quarrelled with mother of the informant for executing sale deed in their favour and subsequently the dead body of mother of the informant was found hanging in a tree.

It is submitted that there is no eye witness of the occurrence. There is absolutely no allegation against Usha Devi wife of Bijay Kumar Mukhiya

Considering the fact that petitioner no.1 Bijay Mukhiya and petitioner no.2 Sanjay Mukhiya picked up quarrel

and threatened the mother of the informant but subsequently the dead body of the mother of informant was found hanging on a tree, hence I am not inclined to grant anticipatory bail to petitioner no.1 Bijay Mukhiya and petitioner no.2 Sanjay Mukhiya. Accordingly the same is rejected.

So far petitioner no.3 Usha Devi is concerned, the informant has not made any specific allegation and she being the lady, in the event of her arrest or surrender before the court below within a period of four weeks from today, she is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in Kishanpur P.S. Case No. 228 of 2012, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

M.Rahman/-

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