

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3088 of 2016

Arising Out of PS.Case No. -113 Year- 2009 Thana -RAHIKA District- MADHUBANI

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1. Bauki Devi wife of Late Bhoril Choudhary
 2. Anil Choudhary son of Late Bhoril Choudhary
 3. Sunil Choudhary son of Late Bhoril Choudhary
 4. Punita Devi D/o Late Sikandar Choudhary, all resident of village Jagatpur, P.S.- Rahika, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Madhuranand Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-01-2016 Heard learned counsels for the petitioner and the State.

The petitioners being the mother, brothers-in-law and wife of the victim are apprehending arrest in a case registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code.

The accusation is of killing the son of the informant since petitioner no.4 being the wife of the victim had illicit relationship with someone else which the victim used to protest.

It is submitted by learned counsel for the petitioners that the victim died on 27.07.2009 whereas the complaint was filed on 31.07.2009 which came to be registered as a police case on 27.08.2009. The investigation is still pending and the informant

has retracted from his initial version.

Considering the nature of accusation and the fact that the case was registered in the year 2009 and the present application for anticipatory bail has been preferred in the year 2016, this Court is inclined to grant anticipatory bail to the petitioners.

Let the learned court below consider the prayer for regular bail of the petitioners if they surrender within a period of six weeks in connection with Rahika P.S. Case No. 113 of 2009 pending in the court of learned JM, 1st Class, Madhubani.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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