

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37932 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -TARABARI District- ARRARIA

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1. Anirudh Paswan @ Kokai Paswan, son of Late Saryug Paswan
2. Nirmala Devi @ Budhiya Devi, wife of Anirudh Paswan, Both Residents
of Village- Khamgara Majhuwa Tola, P.S.- Tarabari, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 14-12-2016 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in Tarabari
P.S. case No.02 of 2016 registered under Sections 376 and 302/34
of the Indian Penal Code, pending before the court of Sri R.
Narain, A.C.J.M. III, Araria.

Allegation is that the accused persons including the
petitioners committed murder of sister of the informant by
pressing her neck.

It has been submitted on behalf of the petitioners that
the petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioners. There is no eye witness to the alleged occurrence.



There is no substantive evidence to suggest the implication of the petitioners in the present case. The petitioner No.1 is father-in-law and petitioner No.2 is the mother-in-law of the deceased.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. The allegation against the petitioners is that they pressed the neck of the deceased and due to the same she has died. The postmortem report supports the cause of death as made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail is rejected.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order taking into account that the petitioner No.2 is a lady.

The provisional bail granted to the petitioners by order dated 23.09.2016 is hereby cancelled.

(Sudhir Singh, J)

Narendra/-

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