

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1854 of 2016

Arising Out of PS.Case No. -111 Year- 2015 Thana -KATORIA District- BANKA

=====

1. Jhagru Yadav S/o Late Shivkar Yadav
2. Kabiya Devi W/o Shankar Yadav
3. Parwati Devi W/o Parmeshwar Yadav
All resident of village - Ghumani Dhakodih, P.S. Katoria, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-01-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case is that the informant used to reside at Calcutta and do labour work, when his wife Lukhiya Devi used to live at village home with her five children. On 18.05.2015 the accused persons started plucking Mango fruits from the orchard of the informant, when the wife of the informant made protest, then accused persons abused and assaulted her. When the informant came to village on 23.05.2015 and went to the

house of the petitioner for making complain, then accused persons brutally assaulted the informant and his wife and the wife of the informant succumbed to the injury.

It is submitted by the learned counsel for the petitioners that post-mortem report of the wife of the informant does not suggest any external injury and she died due to some cardiac problem. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the accusation being not corroborated by the medical opinion and allegation is omnibus and general, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sri S. Gandhi, J.M., Ist Class, Banka in connection with Katoriya P.S. Case No. 111 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--