

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7261 of 2016

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

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1. Anita Devi W/o Kishandeo Yadav @ Kisundeo Yadav
2. Kishandeo Yadav @ Kisundeo Yadav Son of Late Laldhari Yadav Both
resident of village - Ghumani Dhakodih, P.S. Katoria, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 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 petitioner has no criminal antecedent. Co-accused Shankar Yadav has already been granted regular bail by a co-ordinate bench of this court in Cr. Misc. No. 38558 of 2015.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri S. Gandhi, learned JM, 1st class, Banka in connection with Katoriya P.S. Case No. 111/2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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