

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50843 of 2016

Arising Out of PS.Case No. -204 Year- 2015 Thana -DUMRAUN District- BUXAR

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1. Babloo Mishra @ Dharmendra Kumar Mishra @ Dharmendra Mishra, Son of Late Uma Shankar Mishra
 2. Rinku Devi, Wife of Babloo Mishra @ Dharmendra Kumar Mishra @ Dharmendra Mishra
 3. Ranju Devi @ Anju Devi, Wife of Dampi Mishra @ Pappu Mishra, All residents of Village : Ekauni, P.S. Dumaron, District : Buxar
- Petitioners

Versus

1. The State of Bihar
- Opposite Party
- =====

Appearance :

For the Petitioners : Mr. Yogesh Chandra Verma, Sr. Adv. with
Mr. Deepak Kumar Sinha, Adv.

For the State : Mr. Anuj Kumar Srivastava, APP79

For the informant : M/S Gopal Swarup Dubey & Avinash Kr, Advs.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 20-01-2017 Heard the learned counsel for the petitioners and the State.

This is a petition for grant of anticipatory bail for offence under Section 302/34 of the Indian Penal Code.

The petitioners are agnates of the informant. Allegation is that for land dispute the petitioners and others burnt to the wife of the informant in the house on 18.06.2015. The case diary would reveal that other eye witnesses have also supported the occurrence.

Submission of the petitioners is that for the purpose of anticipatory bail it can not be ignored that the police had submitted final form in this case for the reason that during investigation it revealed that first wife of the informant had also died unnatural death due to torture and it was also a case of suicide due to torture and after delay of five days the first information report has been lodged in a pre-planned manner.



More over, Vikas Pandey and other co-accused were not allowed anticipatory bail by this Court in Cr. Misc. No. 52986 of 2015 vide order, dated 17.12.2015.

Considering the nature of allegation, I am not inclined to enlarge petitioner no. 1, Babloo Mishra @ Dharmendra Kumar Mishra @ Dharmendra Mishra, on anticipatory bail.

Prayer for anticipatory bail on behalf of the petitioner no. 1 is **rejected**.

Taking special consideration under the law for petitioners, Rinku Devi and Ranju Devi @ Anju Devi, against whom there is general and omni bus allegation, they are, in the event of their arrest or surrender, within four weeks from the date of receipt of this order, directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with **Dumraon (Buxar) P.S. Case No. 204 of 2015** (G.R. No. 1737 of 2015) to the satisfaction of the **Chief Judicial Magistrate, Buxar**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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