

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46593 of 2016

Arising Out of PS.Case No. -262 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

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1. Usha Devi W/o Nawal Yadav R/o Village- Deokuli, P.S.- Makhdumpur (Tehata), District- Jehanabad.
 2. Vijay Yadav S/o Sidheshwar Yadav R/o Village- Indo, P.S.- Bhagwanganj, District- Patna.
 3. Ajay Kant Yadav S/o Sri Bhagwan Yadav R/o Village- Sikandarpur, P.S.- Paliganj, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Dharendra Kumar Sinha, Advocate.

For the Opposite Party : Ms. Sangeeta Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-01-2017 Heard both sides.

The petitioners apprehend their arrest in Makhdumpur (Tehata) P.S. Case No. 262 of 2015, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The informant named the petitioners and others and alleged that they all having armed with iron rod and rifle came and assaulted the informant, his mother and father. The mother of the informant died.

Learned counsel for the petitioners submits that Petitioner No. 1 Usha Devi is wife of Nawal Yadav, Petitioner No. 2 is brother of petitioner no. 1 and Petitioner No. 3 is husband of



sister of petitioner no. 1. Nawal Yadav the informant earlier assaulted his wife petitioner no. 1 and drove her out from the house. The petitioner no. 1 filed a petition in the Mahila police station and on 29.03.2015 Nawal Yadav executed a bond undertaking that he would keep his wife properly. It is further submitted that mother of the informant was an old and infirm lady and she died her natural death but on account of previous enmity with the wife, the informant implicated the entire family members of his wife including his wife, but it appears that the informant made very specific allegation that one day prior to the occurrence there was some quarrel between petitioner no. 1 and her mother-in-law. On such, the petitioners along with other persons came assaulted the informant, his mother and father but mother of the informant succumbed to the injuries.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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