

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21387 of 2017

Arising Out of PS.Case No. -215 Year- 2016 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Minchu Kumari, Daughter of Harendra Rai
 2. Maya Devi, Wife of Harendra Rai, Both are resident of Village- Hasan
Pur Yado Tola, P.S. Pipra, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party : Mr. Ataur Rahman (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-07-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and learned counsel for the State.

The petitioners apprehend their arrest in connection
with Pipra P.S. Case No. 215 of 2016, registered for the offences
punishable under Sections 302, 120(b)/34 of the Indian Penal
Code.

Allegedly, Ashok Kumar the younger brother of the
informant was killed in the house of the petitioner after cutting his
neck.

Submission is of false implication and that petitioner
no.1 is unmarried girl whereas petitioner no.2 is the mother of the
petitioner no.1, without any cause they have been implicated in



this case, due information was given to the family members after murder of deceased and the informant implicated the petitioners and other after making false allegation, there is no cogent and legal materials against the petitioners and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that the witnesses have supported the allegation and further Harendra Ram has confessed his guilt stating the name of the petitioners vide para 23 of the case diary and, as such, the petitioners do not deserve bail.

In the facts and circumstances as stated above, considering the materials collected during investigation, I am not inclined to grant privilege of pre-arrest to them and accordingly their such prayer stands rejected in connection with Pipra P.S. Case No. 215 of 2016, pending in the Court of learned C.J.M., Motihari, East Champaran.

(Jitendra Mohan Sharma, J.)

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