

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42537 of 2017

Arising Out of PS. Case No.-224 Year-2017 Thana- BANKA District- Banka

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1. Prakash Yadav, S/o Dashrath Yadav,
 2. Hema Devi, Wife of Prakash Yadav, Both resident of Village- Bhaturai Chhatrapal Gora, Police Station- Banka, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. DR. INDIWAR KUMARI

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 03-11-2017 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in connection with Banka P.S.
Case No. 224 of 2017 registered for the offence punishable
under sections 302/34 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that
petitioner no. 1 is the Bhaisur and petitioner no. 2 is Gotni of the
deceased. There is admitted dispute between the parties
regarding partition of land. The deceased was not killed by the
accused persons rather she committed suicide.

Learned Addl. P.P. appearing for the State submits that
there is specific allegation against the petitioner no. 1 of brutally
assaulting the deceased leading to her death.

Considering the facts and circumstances of the case and the



submissions advanced on behalf of the parties, let the petitioner no. 2, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 224 of 2017 subject to the conditions laid down under section 438(2) Cr.P.C.

However, considering the nature of allegations levelled against petitioner no. 1, I am not inclined to grant him the privilege of anticipatory bail. The same is, hereby, rejected.

(Arvind Srivastava, J)

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