

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53224 of 2017

Arising Out of PS.Case No. -124 Year- 2017 Thana -UDWANTNAGAR District- BHOJPUR

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1. Sita Ram Yadav, son of Shiv Keshwar Yadav
2. Parvati Kumari, daughter of Shiv Keshwar Yadav
3. Rani Devi, wife of Rajesh Yadav
4. Nirdya Devi @ Nirda Devi, wife of Shiv Keshwar Yadav

All are resident of village Akhtiyarpur, P.S. Udwantnagar, Distt. Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Udwantnagar P.S. Case No. 124 of 2017** instituted for the offence under Sections 302 and 201/34 of the Indian Penal Code.

In the written report it is alleged that nephew of the informant went to the house of Rani Devi (petitioner No. 3) for returning money and did not return. The informant went to the house of Rajesh where all the accused including petitioners were talking with each other. When the informant asked about his nephew, they abused him.

Learned counsel for the petitioners has submitted that mere suspicion has been raised against them.



Learned counsel for the informant has appeared and submitted that petitioners had called the nephew of the informant and later on his dead body was found in a bag.

It is mentioned in the written report that after seven days of the occurrence, the informant learnt about the dead body lying in river tagged in a bag. The informant went there and found decomposed dead body of his nephew. Later on, the dead body of the deceased, on the basis of key received from his possession, had been identified by the informant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Udwantnagar (Gajrajganj) P.S. Case No. 124 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Bhojpur at Ara**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on



two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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