

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26365 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -BANKA District- BANKA

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1. Dinesh Yadav, Son of Late Bhuma Yadav,
2. Pawan Kumar @ Pawan Yadav, Son of Dinesh Yadav,
3. Chunki Devi, Wife of Dinesh Yadav, All are Resident of Village- Gorra,
P.S.+District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 13-07-2017 Learned counsel for the petitioner prayed to

withdraw the anticipatory bail petition of petitioner no. 3 Chunki

Devi.

Prayer is allowed. The anticipatory bail petition of

Chunki Devi is dismissed as withdrawn.

Heard both sides.

The petitioner no. 1 and petitioner no. 2 apprehend

their arrest in Banka P.S. Case No. 04/2017, registered for the

offences punishable under Sections 302, 201 and 34 of the Indian

Penal Code.

The informant alleged that there was love affair

between her brother-in-law Janardan Yadav and Rekha Kumari



daughter of petitioner no. 1 Dinesh Yadav. All the petitioners took Janardan Yadav with them on assurance that they would solemnize marriage with Rekha Kumari, but the accused persons tied Janardan Yadav with a tree and brutally assaulted him causing his death.

Learned counsel for the petitioner submits that the F.I.R. was lodged after cremation of the dead-body. No such occurrence has taken place.

It appears that the informant has made specific allegation that petitioners have brutally assaulted Janardan Yadav after tying him with a tree and he died. Thereafter, the petitioners hurriedly cremated his dead-body

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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