

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9398 of 2018

Arising Out of PS. Case No.-206 Year-2017 Thana- CHARPOKHARI District- Bhojpur

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1. Dilip Yadav, late Lallan Yadav
2. Annu Devi, Wife of Dilip Yadav
Both are resident of Village-Siyadih, P.S.-Charpokhari, District-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, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-02-2018 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections 302 and 120B/34 of
the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of
Ram Bachan Singh, recorded by Kuwar Prasad Gupta, SHO,
Charpokhari Police Station on 09.09.2017 at 8.35 A.M., to the
effect that the informant married his grand-daughter (daughter's
daughter), Sobha Devi with one Arun Singh Yadav 10-12 years
prior to lodging of the present case. Subsequently, the
informant's grand-daughter was blessed with four female
children and hence the in-laws family members used to assault



her. On 09.09.2017, at 6.00 A.M., one Shankar Singh informed the informant that his grand-daughter is dead. Consequently, the informant went to the in-laws house of the victim and found his grand-daughter dead, while no one was present near the dead body of the victim.

It is submitted by learned counsel for the petitioners that admittedly, there is no eye witness to the occurrence and in fact the victim committed suicide. The final form (charge-sheet) has been submitted under Sections 306/34 of the I.P.C.. Even assuming the accusation made in the FIR, the thrust of accusation is against the husband of the victim. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur, learned APP for the State that the petitioner is named in the FIR.

Considering the fact that the investigation has already been concluded and final report has been submitted under Sections 306/34 of the I.P.C., coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on



furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-X, Bhojpur at Ara in connection with Charpokhari P.S. Case No.206 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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