

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4041 of 2018

Arising Out of PS. Case No.-534 Year-2017 Thana- KAHALGAON District- Bhagalpur

1. Guddi Kumari, W/o Manoranjan Mandal,
2. Muni Lal Chaurasiya S/o Bhubneshwar Chourasiya, Both Village- Oriup, P.S.- Antichak , District- Bhagalpur.
3. Bhagwan Yadav S/o Ragho Yadav, R/o Village- Ramjanipur, P.S.- Shivnarayanpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioners, learned counsel for the informant and the learned A.P.P. for the State.

Petitioners are languishing in judicial custody since 12.11.2017 in connection with Kahalgaon (Shivnarayanpur) P.S. Case No. 534 of 2017 registered for the offence punishable under Sections 302, 120(B) and 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that her husband went out of the house in the evening and did not return. He owns a Patanjali shop and is also a LIC agent and it is alleged that some persons named in the First Information Report, who were on inimical terms with the husband of the



informant, must have killed him and thrown his dead body on the road.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and their names appeared by way of re-statement of the informant after 24 days of the alleged occurrence, as an afterthought. He submits that the petitioners have been roped in the present case only on suspicion and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioners.

However, learned counsel for the informant submits that petitioner no.1 was having illicit relationship with informant's deceased husband and all the petitioners along with others conspired and killed informant's husband and have thrown the dead body on the road. Learned A.P.P. for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioners, named above, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Shivnarayanpur) P.S.



Case No. 534 of 2017, subject to the conditions that:

(1) Both the bailors would be close relative of the petitioners having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioners.

(2) The petitioners will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J.)

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