

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13958 of 2019

Arising Out of PS. Case No.-297 Year-2018 Thana- KHIJARSARAI District- Gaya

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Anita Devi, wife of Sanjay Yadav, resident of Village-Mandai, P.S.-
Khijarsarai, District-Gaya. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-05-2019 This is an application for grant of anticipatory bail in connection with Khijarsarai P.S. Case No.297 of 2018, disclosing offences under Sections 302, 201, 34 of the Indian Penal Code.

Prosecution story as per F.I.R. is that the informant received information that the dead body of his son was found in the house of Sanjay Yadav and the same was cremated by the petitioner along with Sanjay Yadav and other accused persons and giving colour of suicide. Nobody has seen while committing the suicide.

Submission of the learned counsel for the petitioner is that petitioner who happens to be the wife of Sanjay Yadav and no specific allegation has been attributed against her.

Further submission is that co-accused Sanjay Yadav has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 29.04.2019 in Criminal Misc. No.26338 of 2019 and co-accused Sudhir Yadav @ Sudhir Kumar has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 23.04.2019 in Criminal Misc. No.26330 of 2019



Heard learned A.P.P. also who has opposed the prayer for bail and invited the attention towards the paragraphs 2 and 8 of the case diary which disclosed that Rs.2,00,000/- was due with the husband of the petitioner and for that, they have killed and disposed of the dead body and the case of Sudhir Yadav was on different footing that of the petitioner.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned court below for grant of regular bail which may be considered by the learned court below on the materials available on record and also considering the fact that other co-accused persons have been granted bail by the Co-ordinate Bench of this Court, and if possible, be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

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