

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17512 of 2019

Arising Out of PS. Case No.-471 Year-2018 Thana- NAUBATPUR District- Patna

1. VIBHA DEVI Wife of Ajit Singh Resident of Village - Motipur, P.S.- Naubatpur, District- Patna
2. Ajit Kumar @ Ajit Singh Son of Shri Avdhesh Singh Resident of Village - Motipur, P.S.- Naubatpur, District- Patna

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Patanjali Rishi, Advocate.
For the State : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 16-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Naubatpur P.S. Case No.471 of 2018 registered under Sections 302 and 120B/34 of the Indian Penal Code besides Section 27 of the Arms Act, pending in the court of the Additional Chief Judicial Magistrate-II, Danapur, Patna.

The accusation is that in the morning of 01.10.2018, Bhuvneshwar Ram, the father of the informant Bijendra Prasad, was going to Dairy to supply the milk. When the father of the informant reached near the block, then seven persons, named in the F.I.R., including the petitioners and two unknown made indiscriminate firing at the father of the informant. On hearing the sound of firing,



the informant along with his villagers reached there, then saw that all were fleeing away from there and his father was lying dead sustaining firearm injury. In the month of January, Anjay, the brother of co-accused Vijay was murdered, who used to do the business of money lending. Vijay and his family members used to make allegation against Deepak, the son of the informant, and his family members about taking Rs.3,00,000/- from Anjay and they also used to give threatening of dire consequences to them.

Learned counsel for the petitioners submits that the petitioners are son-in-law and married daughter of co-accused Vijay Singh and both used to reside separately in village-Motipur, P.S. Naubatpur, District-Patna, and not either at the P.O. village or in the village of the informant. Both the petitioners have no criminal antecedents. In the case diary, which is upto paragraphs-78, no one have claimed to have seen the occurrence.

Having considered the facts and the circumstances of the case, the provisional anticipatory bail granted to the petitioners vide order dated 26.03.2019 passed by a Bench of this Court is, hereby, confirmed.

(Rajendra Kumar Mishra, J)

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