

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20842 of 2019

Arising Out of PS. Case No.-160 Year-2011 Thana- OBRA District- Aurangabad

1. RAMNARAYAN SINGH Son of Late Jageshwar Resident of Village - Sadipur, P.S.- Obra, Distt - Aurangabad.
2. Urmila Devi Wife of Jitendra Kumar Singh @ Jitendra Singh. Resident of Village - Sadipur, P.S.- Obra, Distt - Aurangabad.
3. Jitendra Kumar Singh @ Jitendra Singh Son of Ram Narayan Singh Resident of Village - Sadipur, P.S.- Obra, Distt - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-04-2019 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 328 and 302/34 of the IPC.

The prosecution case as per the written report of Kumari Mamta Sinha submitted to SHO, Obra Police Station is to the effect that the informant was married with one Dharmendra Kumar and used to live in her parent's house and her husband used to resides outside the country. It is alleged that the petitioners used to torture the husband of the informant with regard to share in property. On 20.11.2011, the husband of the



informant met the informant at Daudnagar and expressed his apprehension that his father, brother and wife of his brother wants to grab his share in property. It is further alleged that on 22.10.2011, the petitioners assaulted the husband of the informant and administered poison to him, as a result, his condition became serious. Thereafter, in-law family members of the informant brought her husband to Sadar Hospital, Aurangabad and informed the informant about the said incident. It is further alleged that the informant reached there and he came to know about the whole occurrence from his husband, and thereafter, the husband of the informant was referred to Magadh Medical College, Gaya, where on 23.10.2011, the husband of the informant died during course of treatment.

It is submitted by learned counsel for the petitioners that in the background of strained relationship, due to the property dispute, the accusation has been levelled against the petitioners. It is further submitted that there is no eye witness to the alleged occurrence. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that in the background of property dispute the petitioners assaulted the husband of the



informant and they are named in the FIR.

Considering the fact that there is no eye witness to the occurrence, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks 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 **SDJM, Daudnagar Aurangabad** in connection with **Obra P.S. Case No.160 of 2011** subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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