

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26615 of 2019

Arising Out of PS. Case No.-492 Year-2018 Thana- BANKA District- Banka

1. Md. Idris Son of Late Md. Jahangir Resident of Village - Khiripaghar, P.S.- Barahat, District - Banka.
2. Bibi Samida Wife of Md. Idrish Resident of Village - Khiripaghar, P.S.- Barahat, District - Banka.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party : Mr.Shailendra Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered under Section 302 of the Indian Penal Code.

The informant Satyam Kumar Choudhary states that his mother was married with petitioner no.1 in 2015, whereas petitioner no.2 happens to be the first wife of petitioner no.1. It is alleged that both the petitioners killed informant's mother by making it accidental death and took her ornaments.

It has been submitted on behalf of the petitioners that the informant is not the eye witness to the occurrence and the victim died due to injuries caused due to fall of Varandah wall on her while fetching water from the hand pump. Learned counsel further submits that the informant has lodged the instant



case for grabbing the land which is in the name of the deceased. During investigation, independent witnesses have not supported the case of assault on the petitioners as per the case diary. Petitioners have got no criminal antecedent. According to doctor also, injuries have been caused by fall of wall.

Considering the aforesaid facts and circumstances, let both the petitioners, above named, in the event of arrest/surrender before the learned court below it within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in connection with Banka (Barahat) Police Station Case No. 492 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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