

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29298 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- MUFFASIL District- Aurangabad

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1. LAKSHMINIYA DEVI Wife of Mahesi Bhagat, Resident of Village - Bahuara, P.S.-Aurangabad Muffsail, Distt -Aurangabad.
 2. Gaya Prasad Mandal Son of Manki Yadav, Resident of Village - Bahuara, P.S.-Aurangabad Muffsail, Distt -Aurangabad.
 3. Yamuna Prasad Pal Son of Late Mohan Bhagat, Resident of Village - Bishaini, P.S.-Aurangabad Muffsail, Distt -Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saroj Kumar Pal Son of Maheshi Bhagat, Resident of Village - Bahuara, P.S.-Aurangabad Muffsail, Distt -Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Verma

For the Opposite Party/s : Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Aurangabad Muffasil P.S. Case No. 45 of 2019 registered for offence punishable under sections 120(B), 201 and 364/34 of the Indian Penal Code.

As per the allegation, petitioner no. 1, Lakshminiya Devi entered into the marriage with the father of the complainant and out of said wedlock, she blessed with two sons, namely, Chandan Kumar and Kundan Kumar. From the



1st wife, the complainant is son. It has been stated that petitioner no. 1 developed illicit relationship with Gaya Prasad Mandal and Yamuna Prasad which was objected by the father of the complainant and on that account, with a view of take away the money of insurance under criminal conspiracy, they most probably kidnapped the father of the complainant and killed him.

The learned counsel for the petitioner submits that the partition with the complainant and petitioner no. 1 has already taken place. Lakshminiya Devi herself has lodged an informatory petition of missing of her husband and she has wrongly been implicated in the present case.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioners and accordingly their prayer for bail is rejected. However, if the petitioners surrender and pray for regular bail, the court below after examining the case diary will take decision in accordance with law.

(Shivaji Pandey, J)

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