

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32759 of 2019

Arising Out of PS. Case No.-133 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. RAJESHWAR YADAV, Son of Late Janki Yadav, Resident of Village- Yadav Nagar, Tiriviyani, P.S.- Gopalganj, Dist.- Gopalganj
 2. Balmiki Yadav, Son of Late Janki Yadav, Resident of Village- Yadav Nagar, Tiriviyani, P.S.- Gopalganj, Dist.- Gopalganj
 3. Fulmati Devi, Wife of late Murat Yadav, Resident of Village- Yadav Nagar, Tiriviyani, P.S.- Gopalganj, Dist.- Gopalganj
 4. Indu Devi, Wife of Jitendra Yadav, Resident of Village- Yadav Nagar, Tiriviyani, P.S.- Gopalganj, Dist.- Gopalganj
 5. Kehuli Devi, Wife of Rajeshwar Yadav, Resident of Village- Yadav Nagar, Tiriviyani, P.S.- Gopalganj, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-08-2019 This is an application for grant of anticipatory bail in connection with Gopalganj P.S. Case No. 133 of 2019, disclosing offences under Sections 341, 323, 325, 307, 379, 504, 302, 34 of the Indian Penal Code.

Allegation against the petitioners is that they entered inside the house of the deceased and assaulted her. Allegation against petitioner Rajeshwar Yadav is of order giver and also snatching of Rs.10,000/- and allegation against petitioner Balmiki Yadav is that he has lifted one box.



Submission of the learned counsel for the petitioners is that there is no specific allegation has been attributed against the petitioners, rather allegation is general in nature and not visible injury was found on the person of the deceased, which will appear from the Annexures 2 & 3, which disclosed that she died due to cardiac attack and deceased was about 45 years of age.

Heard learned A.P.P. and learned counsel for the complainant also, who opposed the prayer for anticipatory bail on the ground that the postmortem report also disclosed that haemorrhage was found on dissection of skull and allegation against all the accused persons is of assault also.

Having heard both sides, considering the allegations, so far as, petitioners no.1 & 2 are concerned, I am not inclined to grant privilege of anticipatory bail to them.

Considering the fact that petitioner no.3 is 85 years of age and petitioners no.4 and 5 are also ladies and no specific allegation has been attributed against them, so far as, petitioners no.3,4 & 5 are concerned, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the



satisfaction of learned C.J.M., Gopalganj, in connection with Gopalganj P.S. Case No. 133 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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