

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45196 of 2019

Arising Out of PS. Case No.-79 Year-2017 Thana- NAGARNAUSA District- Nalanda

1. Rabindra Prasad @ Rabindra Yadav, S/o Sachchidanand Yadav, R/o village- Bhadru Dih, P.S.- Nagarnausa, District- Nalanda
2. Sita Devi, W/o Rabindra Prasad @ Rabindra Yadav, R/o village- Bhadru Dih, P.S.- Nagarnausa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Prasad, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-07-2019 This is an application for grant of anticipatory bail in connection with Nagarnausa P.S. Case No. 79 of 2017, disclosing offences under Sections 302, 201, 34 of IPC.

Petitioners happens to be the father-in-law and mother-in-law of the deceased and allegation of strangulating her.

Submission of the learned counsel for the petitioners is that no specific allegation has been attributed against the petitioners and police after investigation submitted the final form as the mistake of fact, the learned Magistrate differing with the finding of the I.O. has taken cognizance in this case.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, they have opposed the prayer for



anticipatory bail on the ground that the statement of the daughter of deceased has been recorded twice u/s 161 of Cr.P.C. and as such, they have tried to suppress the real facts.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, 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 Sri Sunil Kumar Singh, Judicial Magistrate, 1st Class, Hilsa, in connection with Nagarnausa P.S. Case No. 79 of 2017, 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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