

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8975 of 2020

Arising Out of PS. Case No.-312 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

1. Meena Devi W/o Sri Kamlesh Kumar Singh @ Kamlesh Singh Resident of Village-Pachilakhi, P.S-Durgawati, District-Kaimur (Bhabua).
2. Amarnath Singh @ Amar Singh S/o Late Gulab Singh Resident of Village-Pachilakhi, P.S-Durgawati, District-Kaimur (Bhabua).
3. Nibula Devi W/o Sri Amarnath Singh @ Amar Singh Resident of Village-Pachilakhi, P.S-Durgawati, District-Kaimur (Bhabua).
4. Anuj Kumar S/o Sri Amarnath Singh @ Amar Singh Resident of Village-Pachilakhi, P.S-Durgawati, District-Kaimur (Bhabua).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Yogendra Kumar, Adv.
For the Opposite Party : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2020 Heard the learned counsel for the petitioners and
the learned APP for the State.

The petitioners apprehend their arrest in connection with Durgawati P.S. Case No. 312 of 2019 for the offence punishable under Section 306/34 of the Indian Penal Code.

The allegation is regarding the accused persons having tortured the informant and his wife resulting in informant and his wife consuming poison resulting in death of the wife of the informant, however, on account of medical treatment, the informant was saved.



The learned counsel for the petitioners submit that the petitioner No. 1 is the sister-in-law of the informant and as far as petitioners No. 2 and 4 are concerned, they are agnates of the informant. It is further submitted that the petitioners are innocent, are having clean antecedent and have been falsely implicated in the present case. Lastly, it is submitted that a bare perusal of the F.I.R. would show that there is no allegation of any sort of overt act and it has been barely stated that the petitioners used to harass the informant and his wife which in any view of the matter does not seem to be a plausible reason for the informant and his wife consuming poison. It is further submitted that since the informant and his wife were in a bad financial position, they had consumed poison in order to end their lives.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners, I deem it fit and proper to direct for release of the petitioners on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners above named are directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/-(rupees



ten thousand) each with two sureties of the like amount to the satisfaction of learned C.J.M., Bhabua (Kaimur) in connection with Durgawati P.S. Case No. 312 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

K.K.RAO/-

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