

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16802 of 2020

Arising Out of PS. Case No.-289 Year-2019 Thana- KAKO District- Jehanabad

1. RENU DEVI Wife of Jitendra Kumar
2. Shobha Devi Wife of Sudhir Kumar both are Resident of Village - Jalalpur, Police Station - Kako in the district of Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-09-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 341, 448, 323, 302, 504, 506 of the Indian Penal Code and
Section 27 of the Arms Act.

Prosecution case as lodged by the informant is that on
07.11.2019 when he and his family members have slept after
taking meal, then informant's mother raised hull that do not kill
her husband and the accused persons confined the family
members of the informant in a room on the point of pistol and
they fled away after firing and giving threat. It is further alleged



that these petitioners and other were also standing at the door of informant and they were abusing and shouting that they will commit murder of them well like their father has been murdered. While fleeing away Reshmi Devi caught hold Sudhir Kumar but he succeeded in escaping. The empty cartridges has been recovered from the bed of the deceased. Cousin of Sudhir Kumar has provided the arms and ammunition to the accused persons. Such occurrence had taken place due to previous enmity.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. Real fact is that occurrence has not taken place, no one has seen the occurrence and due to previous enmity, informant has implicated the innocent persons including the female members (petitioner). He submits that petitioners have not participated in the alleged murder of the deceased and no any specific allegation has been attributed against the petitioners rather they have been implicated only with a view to tarnish the image of their family. He further submits that there is land dispute between the parties and the petitioners have no criminal antecedent.

In the facts and circumstances of the case, let the



petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-I, Jehanabad in connection with Kako (Bhelawar) Police Station Case No. 289 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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