

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70148 of 2019

Arising Out of PS. Case No.-97 Year-2016 Thana- SHAMBHUGANJ District- Banka

1. RUDAL YADAV Son of Dewan Yadav Resident of Village- Jhajha, P.S.- Fullidumar, District- Banka.
2. Rachana Kumari D/o Rudal Yadav Resident of Village- Jhajha, P.S.- Fullidumar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-01-2020 Petitioners seek bail in anticipation of their arrest in connection with Shambhuganj P.S. Case No. 97 of 2016 registered for the offences punishable under Sections 302, 201 and 120B/34 of the Indian Penal Code.

As per FIR son of the informant had gone to a barat party and later on his mobile was found switched off and informant got an information two days later that his dead body was found in water of Darnh in Khanga Bahiyar and identified dead body of his son. FIR was lodged against unknown and it further appears during investigation that deceased had love affair with petitioner No.2 and the same was not liked by petitioner No.1, as such it is suspected that under conspiracy they have killed the deceased.

Submission of learned counsel for the petitioners is that



except suspicion there is nothing against the petitioner and moreover petitioner No.2 is lady with whom it is alleged that she had love affair with the deceased and as such it cannot be said that she had any role in killing the deceased.

Heard learned APP, who has opposed the prayer for anticipatory bail on the ground that there is strong circumstance against the petitioners and the case is under investigation.

In view of above facts and circumstances, let petitioner No.2, in the event of surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with Shambhuganj P.S. Case No. 97 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

So far petitioner No.1 is concerned, his prayer for anticipatory bail is rejected.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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