

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30138 of 2020

Arising Out of PS. Case No.-123 Year-2013 Thana- KAUWAKOL District- Nawada

-
1. Anita Devi, Wife of Umesh Mandal, Resident of Village- Kharhasari, P.S.- Kawakole, District- Nawada.
 2. Radhiya Devi, Wife of Subhash Mandal, Resident of Village- Kharhasari, P.S.- Kawakole, District- Nawada.
 3. Renu Devi, Wife of Vijay Mandal, Resident of Village- Kharhasari, P.S.- Kawakole, District- Nawada.
 4. Ajay Mandal, Son of Late Ramji Mandal, Resident of Village- Kharhasari, P.S.- Kawakole, District- Nawada.
 5. Umesh Mandal, Son of Late Ramji Mandal, Resident of Village- Kharhasari, P.S.- Kawakole, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Urmial Devi, Wife of Hiralal Mandal, Resident of Village- Jorawahdih, P.S.- Kawakole, District- Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Ansul, Advocate
For the Opposite Party/s	:	Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 18-01-2021 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are apprehending their arrest in connection with Kawakole P.S. Case No.123 of 2013. The case is one for the offence under Section 302 of the Indian Penal Code and other allied offences, pending in the court of the learned A.C.J.M., 1st, Nawada.

The petitioners are all in-laws, except Petitioner



No.4-Ajay Mandal, who is the husband of the victim.

Mr. Yogesh Chandra Verma, learned Senior Counsel appearing for the petitioners submits that had it not been for a compromise in the meantime, the petitioners would not have renewed their prayer for anticipatory bail.

Learned APP for the State has pointed out from the order of rejection dated 05.11.2019 by the court of the learned Sessions Judge, Nawada that the process under Sections 82 and 83 Cr.P.C. has already been exhausted against the petitioners. Realising the difficulty based on these developments in the meantime, learned Senior Counsel appearing for the petitioners submits that he would be submitting to the jurisdiction of the Court and based on the compromise, which *prima facie* shows that the petitioners have been implicated under misconception, he would be availing the remedy of bail before the court concerned.

This Court would only observe that the court should proceed to consider the matter and in view of the aforesaid developments and compromise, pass an appropriate orders without being affected by the disposal of this anticipatory bail application.

The application stands disposed of.



This Court would expect that the petitioners’ counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

U		T	
---	--	---	--

