

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27532 of 2020**

Arising Out of PS. Case No.-441 Year-2019 Thana- LAKHISARAI District- Lakhisarai

1. KOMAL DEVI D/o Vinod Choudhary Resident of Village-English, P.S.-Lakhisarai, District-Lakhisarai.
2. Vinod Choudhary S/o Late Dukhan Choudhary Resident of Village-English, P.S.-Lakhisarai, District-Lakhisarai.
3. Ravikant @ Ravikant Kumar S/o Vinod Choudhary Resident of Village-English, P.S.-Lakhisarai, District-Lakhisarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar Sinha,Advocate  
For the Opposite Party/s : Mr.Mukesh Kumar Singh,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      19-01-2021                      Heard learned counsel for the petitioners and learned APP  
for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Lakhirsarai P.S. Case No. 441 of 2019 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that as per the prosecution case, informant's cousin sister was married with Sanjay Choudhary and she had no issue. It is alleged that she had purchased one katha of land for which there was dispute with her bhaisur and her family. On 06.06.2019 the informant got information that his sister has died and her mother-in-law stated that the accused persons were demanding money and on non-fulfillment of the same, they assaulted her and killed her by tying rope in her neck.



Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that the petitioner no. 1 is married daughter of petitioner no. 2 and she had given birth to a female child on the next date of occurrence and she was in hospital. Petitioner no. 2 is living separately with the diseased and has no concern with her. It is further submitted that co-accused Babita Devi has already been granted privilege of anticipatory bail vide Cri. Misc. No. 67045 of 2019 by a learned Co-ordinate Bench of this Court.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioners that so far as petitioner no. 1 is concerned, she is married daughter of petitioner no. 2 and had given birth to a female child on the very next date of the alleged occurrence i.e. 07.06.2019 and that she was in the hospital and further submission that in the case diary in paragraph '88' it has come that the case has been found true against Ravikant Choudhary (petitioner no. 3 who has already been arrested) and one Babita Devi and further that said Babita Devi has been released on bail vide Cri. Misc. No. 67045 of 2019 by a learned Co-ordinate Bench of this Court, in the nature of the materials available on the record, let in case of their arrest or surrender the petitioner nos. 1 and 2 above-named within a period of four weeks from today in connection with Lakhisarai P.S. Case No. 441 of 2019 be released on bail on furnishing of bail bonds of



Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-1st cum-Special Judge, Lakhisarai, subject to the condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

The application is allowed.

**(Rajeev Ranjan Prasad, J)**

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

