

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31354 of 2020**

Arising Out of PS. Case No.-128 Year-2020 Thana- PANCHRUKHI District- Siwan

1. SHRIKANTI DEVI W/o Kedar Singh Resident of Village-Kodai, P.S.- Pachrukhi, District-Siwan.
2. Raju Singh S/o Kedar Singh Resident of Village-Kodai, P.S.-Pachrukhi, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raju Prasad

For the Opposite Party/s : Mr.Anil Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      17-02-2021                      Heard the learned counsel for the petitioners and Sri Anil Kumar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Pachrukhi PS case no. 128 of 2020 registered for the offences punishable under Section 302/34 of Indian Penal Code.

The allegation as per the written report of the informant is that on 25.05.2020, the petitioners and one co-accused person namely Kedar Singh had arrived at the door of the house of the informant and had started abusing her and when her husband had protested, all the three accused persons including the petitioners herein had assaulted the husband of the



informant by lathi resulting in his death.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that no external injury has been found on the person of the deceased as is apparent from the post mortem report. It is further submitted that similarly situated co-accused person namely Kedar Singh has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.01.2021, passed in Cr. Misc. no. 32620 of 2020.

*Per contra*, the learned APP for the State has vehemently opposed the prayer for bail, however it has been submitted upon perusal of the case diary as also upon perusal of the post mortem report that the doctor has not found any external injury on the body of the deceased and the cause of death is not on account of any injury, as is apparent from the post mortem report.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the materials available on record as also those available in the case diary, it appears that no



external injury has been found on the body of the deceased and moreover, similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.01.2021, passed in Cr. Misc. no. 32620 of 2020, hence I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Siwan/concerned court subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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