

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39966 of 2020

Arising Out of PS. Case No.-81 Year-2020 Thana- CHANPATIA District- West Champaran

1. Joniya Devi Wife of Sri Manager Chaudhary Resident of Village - Naya Tola (Basti), Harpurwa, P.S. - Jogapatti, District - West Champaran
2. Jaymala Devi Daughter of Sri Manager Chaudhary Resident of Village - Naya Tola (Basti), Harpurwa, P.S. - Jogapatti, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-10-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code.

It is alleged in the F.I.R that on 22.02.2020 at



about 10:00 P.M, when the son of the informant was studying in his house, co-accused Birendra Chaudhary and one unknown person came and accompanied her son with them. Next day in the morning, the informant came to know that her son has been killed and his dead body was lying in the Nahar.

It is submitted by learned counsel for the petitioners that petitioners are not named in the F.I.R. The name of the petitioners sprang up subsequently on the confessional statement of co-accused Birendra Chaudhary who alleged that petitioner No. 2 had love affairs with the deceased and petitioner No. 1 who is mother of petitioner No. 2 had conspired in killing of the deceased. Hence, on the basis of suspicion, the petitioners have been implicated in this case. Moreover, the main accused Birendra Chaudhary has been granted privilege of bail vide order dated 20.10.2020 passed in Cr. Misc. No. 27122 of 2020.

In the facts and circumstance of the case, let



the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatia (Sirisiya O.P) P.S. Case No. 81 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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