

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1543 of 2021**

Arising Out of PS. Case No.-67 Year-2017 Thana- ATRI District- Gaya

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NAGENDRA BHARTI ALIAS NAGENDRA GIRI SON OF
RAGHUNANDAN BHARTI RESIDENT OF VILLAGE - UTLI BARA
(MAHABIGHA), P.S. - TANKUPPA, DISTRICT - GAYA

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi
For the Opposite Party/s : Mr. Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-09-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office

vide its notes dated 04.01.2021, within four weeks of starting of

Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Atri P.S. Case no. 67 of 2017, registered under Sections
302 and 379/34 of the Indian Penal Code.

The accusation is that informant Priyanka Devi,
before ten days, had gone to her Myaka in village-Namo
Sadilpur, P.S. Bodhgaya, District-Bodhgaya, where on
29.04.2017, she received information that her mother-in-law



has been died then she rushed at her Sasural village-Riula, P.S. Atri, District- Gaya and saw that her mother-in-law Musmat Fulo Devi is lying dead in the southern-eastern room near the Chowki and the blood was coming out from her mouth and a rope was found hanging around her neck. The foul smell was coming out from the body. She had talked with her mother-in-law in the evening of 27.04.2017. She further claimed that her mother-in-law has been killed in the mid night of 27.04.2017. Before 15-20 days, her husband had informed her that in between him and his Mause Mahendra Giri there is tension with respect to marriage and there is land dispute with Madhu Giri and Dablu Giri. As such, she believes that her mother-in-law has been killed by Madhu Giri, Dablu Giri and some other unknown by pressing her neck and they also took ornaments of her mother-in-law.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. In course of investigation, it has come that this petitioner along with Mahendra Giri, who is maternal uncle of husband of informant had gone at the house of informant, except, suspicion nothing has been collected by the I.O. Moreover, Mahendra Giri has already been allowed privilege of pre-arrest bail by a co-ordinate



Bench of this Court on 26.06.2018 passed in Criminal Miscellaneous No. 19067 of 2018. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Gaya in connection with Atri P.S. Case No. 67 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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