

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11742 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- ATHMALGOLA District- Patna

1. Aarti Kumari (Female), aged about 22 years, Wife of Govind Kumar, Resident of Village - Saristapur, P.S.- Athmalgola, District - Patna at present residing at village More, P.S.- Mokama, District - Patna.
2. Puja Kumari, aged about 19 years, Daughter of Anant Kumar Singh, Resident of Village - Saristapur, P.S.- Athmalgola, District – Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Surendra Kishore Thakur and Mr. Manoj Kumar Pandey, Advocate.
For the Informant	:	Mr. Birendra Kumar, Advocate.
For the Opposite Party	:	Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-08-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in connection with Athamalgola P.S. Case No. 190 of 2020 for the offence registered under Sections 302/34 of the I.P.C.

The prosecution story, in brief, is that on 05.08.2020 at about 10. A.M., the son of the sister of the informant, namely,



Anmol Kumar aged about five years, went to the house of Shobha Devi for playing but he did not return then the informant and others searched and made query from Shobha Devi but she denied. The villagers also searched and the dead body of Anmol Kumar was found in a pond near the house of Shobha Devi. She claimed that F.I.R. named accused persons have killed Anmol Kumar. On query, accused persons assaulted the informant after entering into her house. The informant further stated that she is living in her house alone alongwith other children and she has apprehension that according to version of Shobha Devi the accused persons might have killed them.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. Except for last seen, there is no substantive evidence to suggest the implication of the petitioners in the present case. Neither there is any eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioners in the present case. The petitioners are ladies.

On behalf of the learned counsels for the State and the



informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of the learned S.D.J.M., Barh, Patna, in connection with Athamalgola P.S. Case No. 190/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

U.K./-

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

