

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4961 of 2022

Arising Out of PS. Case No.-264 Year-2020 Thana- PALASI District- Araria

1. Ritesh Yadav, Son of Late Dhanlal Yadav
2. Asha Devi, Wife of Ritesh Yadav

Both are R/O Village- Karor, Ward No.11, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-06-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from today.

In the present case, the petitioners seek bail in connection with Palasi P.S. Case No. 264 of 2020 registered for the alleged offence under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioners is that they along with other co-accused persons took away the father-in-law of the informant and assaulted him causing his death.

It has been submitted by the learned counsel for the petitioners that the allegations are general and vague and are



against fourteen accused persons. No overt act has been attributed to these petitioners. The prosecution case is not probable as the informant was not touched while his father-in-law was being taken away by the fourteen accused persons. The petitioner no.1 is a witness in an earlier case filed by co-accused Shakuntala Devi against the deceased in which the deceased was sent to jail. The co-accused Sakuntala Devi and Hiramani Devi have been granted bail by a coordinate Bench of this Court and the petitioners are in custody since 24.01.2021.

Learned APP has opposed the prayer for bail, submitting that this is a case of murder and the petitioners are named in the FIR.

Having regard to the submissions made hereinabove and considering the fact that the petitioners are amongst the fourteen co-accused persons and the allegations of assault are general and vague without attributing any specific overt act attributed against the petitioners and further considering the period of custody, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Araria in connection with Palasi P.S. Case No.264 of 2020, subject to the



following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

