

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25693 of 2021

Arising Out of PS. Case No.-305 Year-2020 Thana- BANKA District- Banka

1. Mostt. Medani Devi @ Mostt. Medni Devi, aged about 71 years Wife Of Late Panchu Yadav Resident Of Village- Manjhiyara, P.S.- Banka, District-Banka.
2. Dayanand Yadav, aged about 32 years (Male), Son Of Late Panchu Yadav, Resident Of Village- Manjhiyara, P.S.- Banka, District-Banka.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Rabindra Kumar, Advocate
For the Opposite Party	:	Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-05-2022 Heard learned counsel for the petitioners and learned counsel for the State.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in connection with Banka P.S. Case No. 305/2020 for the offence registered under Sections 302/34 of the I.P.C.

The prosecution story, in brief, is that the marriage of the daughter of the informant was solemnized with the petitioner no. 2 twelve years ago. After few years of the marriage, these petitioners started torturing the informant's



daughter. The informant's daughter Rupa Devi had been set to fire by these petitioners three years ago from the alleged date of occurrence but she could be saved by treating Mayaganj Hospital. On 22.01.2020, the informant received information that his daughter died. On the information, the informant alongwith his family members arrived at matrimonial house of his daughter and saw that the dead body of his daughter was lying near a water-ditch. It is further alleged by the informant that his daughter was killed by these petitioners by pressing her neck.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. From perusal of paragraph nos. 8, 27, 28 and 29 of the case diary, it is evident that the deceased had accidental death while she was washing clothes on the bank of the river. The petitioner no. 1 is a lady aged about 71 years.

On behalf of the State, it is 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, in connection with Banka P.S. Case No. 305 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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