

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25864 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- VALMIKINAGAR District- West
Champaran

-
1. Shanti Devi Wife Of Ramayan Kushwaha R/O Village- Pipra Kutti, P.S- Valmikinagar, Dist- West Champaran
 2. Upendra Kushwaha Son Of Ramayan Kushwaha R/O Village- Pipra Kutti, P.S- Valmikinagar, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 27034 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- VALMIKINAGAR District- West
Champaran

Shima Kumari @ Seema Kumari Daughter of Ramayan Kushwaha Resident
of Village- Pipra Kutti, P.S.- Valmikinagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 25864 of 2021)

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

(In CRIMINAL MISCELLANEOUS No. 27034 of 2021)

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 11-04-2022 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, 120(B), 34 of the Indian Penal Code.

The prosecution case as per F.I.R is that co-accused Paras Kushwaha came at his house on 21.11.2020 at about 9:00 A.M by motorcycle and took away his son Abhishek Kumar on the pretext to settle his dispute with Ramayan Kushwaha. After about two hours, Abhishek Kumar called from his mobile to the elder brother that Ramayan Kushwaha had confined him in a room and he might kill him. On receiving such information, when the informant went along with others he found his son dead. The informant alleged that the petitioners along with other accused persons have killed the son of the informant.

Learned counsel for the petitioners seeks



permission to withdraw the petition with regard to petitioner No. 2 namely Upendra Kushwaha(Cr. Misc. No. 25864 of 2021).

Permission is accorded.

Accordingly, the petition with regard to petitioner No. 2 namely Upendra Kushwaha(Cr. Misc. No. 25864 of 2021) is dismissed as withdrawn.

It is submitted by learned counsel for the petitioners that earlier two cases were lodged by the informant's side against the deceased for outraging the modesty of the petitioner Shima Kumari which have been annexed as Annexure-2 and 2/A. Moreover, there is general and omnibus allegation against the petitioners.

Considering the fact that there is no specific allegation against the petitioners and the petitioners being ladies, let the petitioners, above named, except petitioner No. 2 namely Upendra Kushwaha(Cr. Misc. No. 25864 of 2021), 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 Additional Chief Judicial
Magistrate, 1st, Bagaha, West Champaran in connection
with Valmikinagar P.S. Case No. 60 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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