

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31344 of 2021

Arising Out of PS. Case No.-144 Year-2019 Thana- KUMAR KHAND District- Madhepura

1. BHOLI YADAV Son of Late Lali Yadav Resident of Village- Rauta, Ward No. 13, P.S.- Kumarkhand, District- Madhepura.
2. Vivek Kumar @ Vivek Yadav Son of Bholi Yadav Resident of Village- Rauta, Ward No. 13, P.S.- Kumarkhand, District- Madhepura.
3. Rupesh Kumar Son of Bholi Yadav Resident of Village- Rauta, Ward No. 13, P.S.- Kumarkhand, District- Madhepura.
4. Sanju Devi Wife of Vivek Kumar @ Vivek Yadav Resident of Village- Rauta, Ward No. 13, P.S.- Kumarkhand, District- Madhepura.
5. Sahita Devi @ Sabita Devi Wife of Rupesh Kumar Resident of Village- Rauta, Ward No. 13, P.S.- Kumarkhand, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Surya Narayan Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

It is a case of commission of murder of deceased, namely, Mania Devi by co-accused Sita Devi.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that after completing the investigation, final form has been submitted against these petitioners, finding the case



against co-accused Sita Devi, who is on regular bail. He further submits that paras-50, 51, 52 and 56 of the case diary also stated that the deceased was murdered by co-accused Sita Devi and only the cognizance has been taken against these petitioners.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

From perusal of the postmortem report, it appears that on conducting the postmortem examination on the dead body of deceased, Mania Devi, several lacerated penetrating wounds were found.

In the facts and circumstances of the case, let the petitioners, above named 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 thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Madhepura in connection with Kumarkhand P.S. Case No. 144 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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