

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35154 of 2021

Arising Out of PS. Case No.-218 Year-2020 Thana- BARARI District- Katihar

1. SUBHASH YADAV S/o Late Jamun Yadav R/o Ranichak Bakiya, P.S.-Barari, District-Katihar.
2. Santosh Kumar S/o Subhash Yadav R/o Ranichak Bakiya, P.S.-Barari, District-Katihar.
3. Nuna Devi W/o Subhash Yadav R/o Ranichak Bakiya, P.S.-Barari, District-Katihar.
4. Bugiya Devi W/o Late Charitar Yadav R/o Ranichak Bakiya, P.S.-Barari, District-Katihar.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-02-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in Barari P.S. Case No. 218 of 2020 registered for the offences punishable under Section 302 & 201/34 of the Indian Penal Code pending in the Court of learned C.J.M., Katihar.

The daughter of the informant was married with



one Sudhir Yadav prior to 15 years ago, who have three daughters and one son. The daughter of the informant is said to have been assaulted and killed by the F.I.R. named accused persons.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to local politics and ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The husband of the deceased is in judicial custody. Petitioners have no criminal antecedent.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature and from perusal of the impugned order, it appears that during investigation the witnesses have supported the prosecution case in toto, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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