

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32668 of 2022

Arising Out of PS. Case No.-114 Year-2021 Thana- BARGAINIA District- Sitamarhi

1. ANIL KUMAR SON OF DEVENDRA SINGH RESIDENT OF VILLAGE-ASHOGI, WARD No.-3, POLICE STATION- BAIRGANIA, DISTRICT SITAMARHI.
2. DEVENDRA SINGH SON OF LATE SURAJ SINGH RESIDENT OF VILLAGE- ASHOGL, WARD No.-3, POLICE STATION- BAIRGANIA, DISTRICT SITAMARHI.
3. RAMBHA DEVI WIFE OF DEVENDRA SINGH RESIDENT OF VILLAGE- ASHOGL, WARD No.-3, POLICE STATION- BAIRGANIA, DISTRICT SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikramdeo Singh
		Mrs. Madhubala Verma
For the Opposite Party/s :		Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-11-2022 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition in respect of petitioner no. 2 (Devendra Singh).

Permission is accorded. The anticipatory bail petition, so far as petitioner no. 2 is concerned, stands dismissed as withdrawn.

Petitioners no. 1 & 3 apprehend their arrest in a case registered for the offence under Section 302 / 34 of the Indian Penal Code.



As per the prosecution case, all the nine F.I.R. named accused persons, including these petitioners, and 3-4 unknown persons, armed with weapons, are said to have assaulted husband of the informant, as a result of which, he died on the spot.

It is submitted on behalf of petitioners that informant is not eye-witness to the occurrence and only on suspicion, petitioners have been made accused in this case. It is further submitted that during course of investigation, the informant has stated that the contents of the written report was dictated by one Badri Singh and only the informant has put her signature.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of accusation and the materials available on record, including re-statement of the informant, the prayer for anticipatory bail of petitioners no. 1 and 3 is allowed.

Let the above-named petitioners no. 1 and 3, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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 C.J.M., Sitamarhi in connection with Bairgania P.S. Case No. 114 of 2021, subject to



condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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