

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43018 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- AAYAR District- Bhojpur

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1. BUDHIYA DEVI W/o Late Satyendra Ram Resident of Villag- Baligaon, Police Station- Ayar, District- Bhojpur.
 2. Puja Kumari Daughter of Late Satendra Ram Resident of Villag- Baligaon, Police Station- Ayar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

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 a case
registered under Sections 304/34 of the Indian Penal Code.

Prosecution allegation, in short, is that the accused
persons assaulted the deceased on his head due to which he
sustained head injury and later died.

It has been submitted on behalf of the petitioners that
the petitioners have got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is no allegation of assault alleged against the petitioners upon the deceased. Subsequently, a petition has been filed in the Court below in which the informant has retracted from his earlier statement made in the F.I.R. The said petition filed by the informant is Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ayar P.S. Case No. 77 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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