

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42244 of 2022

Arising Out of PS. Case No.-428 Year-2021 Thana- SARAIYA District- Muzaffarpur

1. RAJDEV SAH Son of Late Jit Lal Sah R/o Kolwara, P.S- Saraiya, Distt.- Muzaffarpur
2. Manju Devi Wife of Sri Rajdev Sah R/o Kolwara, P.S- Saraiya, Distt.- Muzaffarpur
3. Kunal Kumar Son of Sri Rajdev Sah R/o Kolwara, P.S- Saraiya, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

The informant alleges that on 10.06.2021, at 7:00 am, the informant's daughter had been burnt by accused persons including the petitioners and was brought to S.K.M.C.H. and till the informant reached there, the victim was declared dead. Accordingly, based on suspicion, it is alleged that accused persons killed the victim and set her ablaze.



Learned counsel submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that police after investigation submitted final form in favour of the petitioners and charge sheet came to be submitted against the husband of the informant.

Learned counsel submits that when one investigating agency, after threadbare investigation, has found the petitioners to be innocent, whether it would be prudent to send the petitioners to custody based on the cognizance which was taken in pursuance of the material which came in the case diary in which no material came to connect the petitioners with the offence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where



the case is pending/successor court in connection with Saraiya
P.S. Case No. 428 of 2021 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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