

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43388 of 2022

Arising Out of PS. Case No.-271 Year-2019 Thana- BHARGAMA District- Araria

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1. PRAMILA DEVI @ PREMLATA DEVI Wife of Jai Kumar Paswan
Resident of Village - Pothiya, Ward No.- 1, P.S.- Bhargama, District - Araria.
 2. Lalo Devi Wife of Yoganand Paswan Resident of Village - Pothiya, Ward
No.- 1, P.S.- Bhargama, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 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 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are women having clean antecedent and the informant alleges that Vivek Kumar confessed his crime in killing minor son of the informant with the help of petitioners and Savita Devi and the dead body of the child was recovered from a safety tank.

Learned counsel for the petitioners submits that



petitioners have been falsely implicated in the present case, it is next submitted that police after threadbare investigation submitted Final Form No. 60 of 2022 dated 28.02.2022 in favor of the petitioners who are aunt and grandmother of Vivek Kumar but the learned trial court differing with the police report took cognizance of the offence against the petitioners, it is further submitted that once an investigating agency after carrying a threadbare investigation had found the petitioners to be innocent as no material transpired during the course of investigation connecting them with the offence then whether based on same investigation on which cognizance is taken would it not amount to travesty of justice by sending petitioner to jail for the present.

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 Court below 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 court below where



the case is pending/successor court in connection with
Bhargama P.S. Case No. 271 of 2019 subject to the conditions
as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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