

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45029 of 2022

Arising Out of PS. Case No.-126 Year-2019 Thana- NARPATGANJ District- Araria

1. JHUNA DEVI @ SAVITA DEVI W/o Sri Ruman @ Ruban Yadav R/o Village - Farhi, Ward No. 3, P.S.- Narpatganj, District - Araria.
2. Pawan Yadav S/o Sri Jagdish Yadav R/o Village - Farhi, Ward No. 3, P.S.- Narpatganj, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 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 and 34 of the Indian Penal Code.

The informant alleges that his cousin brother Ruban along with his mother (Laila Devi) were dumping cow-dung in front of his house, further, on protest by his wife, the accused persons including the petitioners assaulted her and Ruban assaulted her repeatedly by axe causing injuries on head, further, she was declared dead on arrival by hospital.

Learned counsel for the petitioners submits that the



petitioners are persons with clean antecedent and petitioner No. 1 is a women. Learned counsel further submits that the petitioners have been falsely implicated in the present case, it is next submitted that no specific allegation of assault is alleged against the petitioners and petitioner No. 1 being wife of Ruban came to be implicated.

Learned counsel further submits that petitioners will not evade the law, rather, will cooperate in the investigation and will present themselves as and when required by the Investigating Officer of the case so that the truth comes out.

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 Narpatganj P.S. Case No. 126 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



Further, in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation or are not making themselves available as and when called, the learned Trial Court after giving an opportunity of hearing to the petitioners shall pass orders in accordance with law and shall also have the liberty to cancel their bail bonds.

(Satyavrat Verma, J)

HarshPandey/-

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