

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60203 of 2021

Arising Out of PS. Case No.-103 Year-2020 Thana- SONO District- Jamui

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1. JAWAHAR YADAV Son of Late Ramfal Yadav Resident of Village - Agahra, P.S.- Sono, District - Jamui
 2. Manoj Kumar Yadav Son of Jawahar Yadav Resident of Village - Agahra, P.S.- Sono, District - Jamui
 3. Sugiya Devi Wife of Jawahar Yadav Resident of Village - Agahra, P.S.- Sono, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The learned counsel for the petitioners, at the outset,
seeks permission to withdraw the present anticipatory bail
application against the petitioner no. 1 and 2.

Permission is accorded.

The petitioner no.3 apprehends his arrest in a case
registered for the offences punishable under Sections 302, 201
and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner no.3 is a woman and is a person with clean antecedent



and the prosecution case is that at about 4:00 P.M. on 12.05.2020, the brother of the informant went out of the house but did not return, later his dead body was found in a pond, accordingly the FIR was registered against known.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that during the course of investigation a secret information was received when it came to light that informant Jawahar Yadav along with his son is behind the killing of his own brother Banarsi Yadav. The learned counsel next submits that during the course of investigation Sanjay Yadav, son of Jawahar Yadav was arrested and based on his confessional statement the petitioner came to be implicated, it is next submitted that confessional statement in police custody does not have any evidentiary value, it is also submitted that petitioner no.3 is a woman and the accused in whose confessional statement her name transpired has already been granted regular bail by order dated 28.06.2021 in Cr. Misc. No. 2854 of 2021.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no.3.

Considering the submissions made by the learned counsel for the petitioner and the fact that Sanjay Yadav, in



whose confession the name of the petitioner has transpired, has been granted regular bail, the petitioner no.3, in the event of her 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. 5,000/- (Rupees Five Thousand) 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 Sono P.S. Case No. 103 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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