

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65676 of 2021

Arising Out of PS. Case No.-504 Year-2020 Thana- MUFFASIL District- West Champaran

1. ASHA DEVI Wife of Dinanath Mahato @ Dinanath Prasad Resident of Village - Hardiya, P.O. and P.S. - Muffasil (Barvat Sena, Bettiah), Bettiah and District - West Champaran.
2. JHALARI DEVI Wife of Ganesh Mahato Resident of Village - Hardiya, P.O. and P.S. - Muffasil (Tola Loharpatti), and District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammed Abu Haidar, Adv
For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 302, 201 and 120B/34 of the Indian Penal Code.

Allegedly, the petitioners along with other accused persons killed the daughter of the informant by strangulation and burnt her dead body.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged,



has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. There is no single evidence to support the present case. The petitioner no.1 is the sister-in-law of the deceased who is residing separately in another place and petitioner no.2 is the mother-in-law of the deceased who is also residing in another place. He further submits that some of the co-accused persons have been granted regular bail by the court below itself and by co-ordinate bench of this court. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Bettiah (Mufasil) P.S. Case



No.504 of 2020, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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