

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68003 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- RISIYAP District- Aurangabad

1. MADHUBALA W/o Sri Sanjay Singh Resident of Village- Badhka Gaon, P.S.- Riciyap, District- Aurangabad.
2. Aparna W/o Sri Ashish Singh Resident of Village- Badhka Gaon, P.S.- Riciyap, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 69867 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- RISIYAP District- Aurangabad

1. ASHISH SINGH Son of Sri Sanjay Singh Resident of Village- Badhka Gaon, P.S.- Riciap, District- Aurangabad.
2. Priyanshu Singh Son of Sri Sanjay Singh Resident of Village- Badhka Gaon, P.S.- Riciyap, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 68003 of 2021)

For the Petitioner/s : Mr. Ajay Kumar Thakur, Sr.Adv.
Ms. Vaishnavi Singh, Adv.
Mr. Udbhav, Adv.

For the Opposite Party/s : Mr. J.N. Thakur, APP

(In CRIMINAL MISCELLANEOUS No. 69867 of 2021)

For the Petitioner/s : Mr. Pravin Kumar, Adv.
For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

- 3 22-09-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.



Heard the learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 302, 201 and 34 of the Indian Penal Code, registered in connection with Risiyap P.S. Case No. 58 of 2021.

As per allegation, the informant received a telephonic message that his elder brother Sanjay Singh who is husband of petitioner Madhubala, his son Priyanshu Singh, his wife, petitioner Madhubala and his daughter-in-law, petitioner Aparna came from Aurangabad and brutally assaulted his father due to land dispute and sustaining the injuries, his father died.

Learned counsel for the petitioner has submitted that the husband of petitioner Madhubala and informant are own brothers. He is co-accused and facing trial in Sessions Trial No. 270/2021 in the court of Additional District Sessions Judge, Xth, Aurangabad. The informant and the wife of deceased have been examined in that sessions trial and they did not support the prosecution case. The informant has stated that his father died due to heart attack.

On the other hand, the learned APP, Sri J.N. Thakur has opposed the prayer for bail and submitted that the post-



mortem has not been conducted which raises pointing finger towards the complicity of accused persons as the deceased died in their house.

The informant himself and also wife of the deceased did not support the prosecution case in their deposition recorded in Sessions Trial No. 270/2021.

Considering the above-mentioned facts and circumstances, let the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each, with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Risiyap P.S. Case No. 58 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

kundan/-sonali

U		T	
---	--	---	--

