

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8875 of 2023

Arising Out of PS. Case No.-611 Year-2022 Thana- SHEKHPURA District- Sheikhpura

1. NAWAL KUMAR YADAV S/O LATE KALI YADAV R/o- Khari Pokhar,
Girihinda, P.S.- Sheikhpura, District- Sheikhpura
2. RANJU DEVI W/O NAWAL KUMAR YADAV R/o- Khari Pokhar,
Girihinda, P.S.- Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sheojee Mishra,Adv.
For the Opposite Party/s	:	Mr.Ganesh Prasad Singh,APP
For the Informant	:	Mr.Anjani Prasad Singh,Adv.
		Mr.Sunny Kumar,Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the
petitioners, the learned A.P.P. for the State and the
learned counsel for the informant.

The petitioners apprehend their arrest in connection with Sheikhpura P.S. Case No. 611 of 2022 registered for the offences punishable under Sections 363, 302, 201, 120(B) and 34 of the Indian Penal Code.

The allegation is regarding the marriage of Aashish Kumar having been solemnized with the daughter of the informant on 09.01.2020, whereafter the daughter of the informant is stated to be living separately with her husband and



subsequently two children are stated to have been born out of the said wedlock. It is further alleged that the daughter of the informant had left the house in the morning at 2:30 P.M. on 14.10.2022 and subsequently she could not be traced out, however, it is alleged that the accused persons including the petitioners herein, who are the father-in-law and mother-in-law of the deceased victim lady, had killed the deceased victim lady and her children and had thrown their dead bodies in the river Ganges.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the husband of the deceased victim lady, who might be the main accused of the present case, is already behind bars. It is also submitted that till date the dead bodies of the victim lady as also her children have not been recovered. Lastly, it is submitted that charge sheet



has already been filed by the police against the husband of the victim lady under Section 302 of the Indian Penal Code and not against the petitioners.

Per contra, the learned A.P.P. for the State as also the learned counsel appearing for the informant have vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners are stated to be living separately from their son and his wife i.e. the victim lady, apart from the fact that till date the dead bodies of the victim lady and her children have not been recovered and the husband of the victim lady is already behind bars, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail, however subject to verification of the fact as to whether the husband of the victim lady is in



custody or not.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, 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, Sheikhpura in connection with Sheikhpura P.S. Case No. 611 of 2022 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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