

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13218 of 2023

Arising Out of PS. Case No.-436 Year-2022 Thana- CHANPATIA District- West Champaran

1. BABITA DEVI Wife of Ramashish Das R/O Village - Pipra, P.S.- Chanpatiya, Distt.- West Champaran.
2. Ramashish Das Son of Yadolal Das R/O Village - Pipra, P.S.- Chanpatiya, Distt.- West Champaran.
3. Yadolal Das Son of Late Dharichhan Das R/O Village - Pipra, P.S.- Chanpatiya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-05-2023 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, 201 and 34 of the Indian Penal Code.

The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 2 (Ramashish Das).

The informant alleges that on 22.08.2022 at about 6:00 pm, he received an information that his maternal grand-daughter has been killed, accordingly, he along with his family



members reached the house of his son-in-law but did not find his grand-daughter, thus alleges that his maternal grand-daughter has been killed by the accused persons including the petitioners and the dead body has been concealed.

Learned counsel for the petitioner no. 1 and 3 submits that the petitioner no. 1 and 3 are persons with clean antecedent and petitioner no. 1 is a woman. The learned counsel next submits that petitioner has been falsely implicated in the present case, it is next submitted that it has been specifically pleaded in the anticipatory bail application that petitioners are agnates of the deceased and are related to the father of the deceased and they live separately and have no concern in day-to-day life of the father of the deceased, it is further submitted that similarly situated co-accused have been granted bail by a learned co-ordinate Bench by order dated 07.04.2023 in Cr. Misc. No. 6139 of 2023. Learned counsel for the petitioners submits that even from perusal of the FIR it would manifest that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion.

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 petitioner no. 1 and 3 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 Chanpatiya P.S. Case No. 436 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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