

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17869 of 2023

Arising Out of PS. Case No.-74 Year-2020 Thana- MURLIGANJ District- Madhepura

1. RAMJEE YADAV Son of Late Kusumlal Yadav Resident of village - Haripur Kala, P.S.- Murliganj, Dist.- Madhepura.
2. Sumitra Devi Wife of Ramjee Yadav Resident of village - Haripur Kala, P.S.- Murliganj, Dist.- Madhepura.
3. Ramesh Yadav @ Ramesh Kumar Son of Ramjee Yadav Resident of village - Haripur Kala, P.S.- Murliganj, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 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 341, 323, 307, 302, 34 of the Indian Penal Code.

Allegedly, petitioners along with other accused persons, named in the FIR, assaulted the informant's cousin Mangal Yadav over the dispute of money transaction. On alarm, when the informant and other family members came ahead to save Mangal Yadav, the accused persons started assaulting them brutally, as a result of which the informant's wife sustained



injuries and died on spot.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is dispute regarding money-transaction between the parties. It is further submitted that after the investigation, the police had filed final form against the petitioners, but differing from the final form, the learned Court below took cognizance against the petitioners. He further submits that similarly situated co-accused, namely, Nitu Devi has been enlarged on bail by a co-ordinate bench of this court vide order dated 20.07.2021 passed in Cr. Misc. No. 3147 of 2021, as mentioned in Annexure-2. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, as the final form has been filed by police against the petitioners



and similarly situated co-accused has been granted bail, 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 lower Court where the case is pending/successor Court in connection with Murliganj P.S. Case No. 74 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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