

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24509 of 2023

Arising Out of PS. Case No.-1063 Year-2022 Thana- TURKAULIYA District- East
Champaran

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1. URMILA DEVI Wife of Nagendra Sah Resident of Village-Bijulpur Tola Bankati, P.S.-Turkauliya, District-East Champaran
 2. SHEELA DEVI Wife of Birendra Sah Resident of Village-Bijulpur Tola Bankati, P.S.-Turkauliya, District-East Champaran
 3. JHUNA KUMAR @ JHUNU KUMAR Son of Birendra Sah Resident of Village-Bijulpur Tola Bankati, P.S.-Turkauliya, District-East Champaran
 4. RAJENDRA SAH Son of Late Junarbi Sah Resident of Village-Bijulpur Tola Bankati, P.S.-Turkauliya, District-East Champaran
 5. ABHINANDAN KUMAR Son of Rajendra Sah Resident of Village-Bijulpur Tola Bankati, P.S.-Turkauliya, District-East Champaran
 6. BIKU KUMAR Son of Nagendra Sah Resident of Village-Bijulpur Tola Bankati, P.S.-Turkauliya, District-East Champaran
 7. ANAND KUMAR Son of Rajendra Sah Resident of Village-Bijulpur Tola Bankati, P.S.-Turkauliya, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
	:	Mr. Rashmi Jha, Advocate
For the Opposite Party/s	:	Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 17-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 201 and 120(B) of the Indian Penal Code.
3. The informant based on suspicion alleges that petitioners who are agnates killed her husband for grabbing the



ancestral land, it is next alleged that earlier the accused persons including the petitioners had come to the house and had assaulted her husband with legs and fists, but he was saved on intervention of the villagers.

4. The learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is also submitted that from perusal of the allegation as alleged in the FIR it would manifest that informant is not an eye witness to the occurrence, it is next submitted that it is an admitted fact that petitioners and the informant are agnates and are having land dispute between them, it is also submitted that in the postmortem it has come that the death was due to drowning and the body was also found in the pond and the informant took the same as an opportunity to falsely implicate the petitioners in order to coerce them into submission so that they don't demand their share in the property. It is further submitted at the cost of repetition that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion and petitioner no. 1 and 2 are women, further petitioner no. 3, 5, 6 and 7 are young boys in the age group of 20-25 years and petitioner no. 4 is aged about 55 years. The learned counsel for the petitioner next submits that



petitioners will not abscond rather will cooperate in the investigation and will present themselves as and when required by the investigating officer of the case for eliciting the truth.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners 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 Turkauliya P.S. Case No. 1063 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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