

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24420 of 2022

Arising Out of PS. Case No.-60 Year-2021 Thana- DULHIN BAZAR District- Patna

1. RITA DEVI WIFE OF LATE LAKHAN LAL YADAV @ LATE RAM LAKHAN YADAV R/O VILLAGE- SARKUNA, P.S.- DULHIN BAZAR, DISTRICT- PATNA
2. RANJAN YADAV SON OF LATE LAKHAN LAL YADAV @ LATE RAM LAKHAN YADAV R/O VILLAGE- SARKUNA, P.S.- DULHIN BAZAR, DISTRICT- PATNA
3. BIKKU KUMAR SON OF LATE LAKHAN LAL YADAV @ LATE RAM LAKHAN YADAV R/O VILLAGE- SARKUNA, P.S.- DULHIN BAZAR, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sunit Kumar Srivastava, Advocate
For the Opposite Party	:	Mr. Md. Mustaque Alam, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 07-02-2023 Heard learned counsel for the petitioners, the State as also the informant.

Let the defect(s), if any, as pointed out by the office, be removed within four weeks.

The petitioners are apprehending arrest in connection with Dulhin Bazar P.S. Case No. 60 of 2021 under section 302/34 of the Indian Penal Code.

As per the prosecution story, the allegation is that the informant's younger brother was returning home by his tractor when he was intercepted by the accused persons



including the petitioners herein and beaten mercilessly who finally succumbed to the injuries.

Learned counsel for the petitioners submit that omnibus allegation is against all the accused persons. Further submission is that the main allegation is against Nitish Yadav and they do not have criminal antecedents.

Learned counsel for the informant on the other hand has provided a copy of the order dated 1.7.2022 of the concerned Court to show that the charge-sheet was submitted amongst other the petitioners herein and in that backdrop he has opposed the prayer for bail.

Taking into account the fact that the petitioner no.1 Reeta Devi is an aged woman, she do not have criminal antecedent and will be ultimately facing the trial, this Court is inclined to extend her the privilege of anticipatory bail.

So far as the petitioner nos. 2 and 3 namely Ranjan Yadav and Bikku Kumar are concerned, considering the kind of allegation that has come against them as also the charge-sheet stands submitted against them, it would be appropriate that they seek bail in the matter by surrendering before the Court concerned. Their anticipatory bail stands rejected.

Let the petitioner no.1 Reeta Devi be released on



bail, in the event of her arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Danapur, in connection with Dulhin Bazar P.S. Case No. 60 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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