

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30209 of 2023

Arising Out of PS. Case No.-656 Year-2021 Thana- KHAGARIA District- Khagaria

Mayank @ Banti Son Of Late Ramchandra Yadav Resident Of Village-
Chukti, Ps- Khagaria (MUFFASIL) Distt- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 30500 of 2023

Arising Out of PS. Case No.-656 Year-2021 Thana- KHAGARIA District- Khagaria

MITHUN YADAV son of Late Ramchandra Yadav Village- Chukti Ps- Mansi,
Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33950 of 2023

Arising Out of PS. Case No.-656 Year-2021 Thana- KHAGARIA District- Khagaria

MIRA DEVI WIFE OF LATE RAMCHANDRA YADAV R/O Village-
Chukti, P.S.-Mansi, District-Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 30209 of 2023)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

: Mr. Parmanand Kumar, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

(In CRIMINAL MISCELLANEOUS No. 30500 of 2023)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

: Mr. Parmanand Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

(In CRIMINAL MISCELLANEOUS No. 33950 of 2023)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

: Mr. Parmanand Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER



3 17-08-2023 As all these applications arises from the same P.S. Case No., with consent of parties they have been heard together and disposed of by this common order.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, a girl was murdered and thrown in a blue suit case near NH 31.

4. Learned senior counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the petitioners are not named in the F.I.R.. He submits that petitioners have made accused in this case only on the basis of the confessional statement of the co-accused Murari Yadav. He submits that Mayank @ Banti (petitioner in Cr. Misc. No. 30209/2023) is the brother of the deceased, Mithun Yadav (petitioner in Cr. Misc. No.30500/2023) is also brother of the deceased and Mira Devi (petitioner in Cr. Misc. No.33950/2023) is mother of the deceased. He fairly further submits that the post-mortem report



supported the prosecution case but there is no specific overt act against Mira Devi (petitioner in Cr. Misc. No.33950 of 2023). petitioners have got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, namely, Mira Devi in Cr. Misc. No. 33950/2023 in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Khagaria (muffasil) P.S. Case No.656 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Insofar as petitioner, namely, Mayank @ Banti of Cr. Misc. No. 30209/2023 & petitioner, namely, Mithun Yadav of 30500/2023 are concerned there is specific allegation against them due to property dispute between the parties, I am not inclined the enlarge them on anticipatory bail in connection



with aforementioned case.

8. Hence, this order.

(Anjani Kumar Sharan, J)

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