

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34265 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- KAJRAILI District- Bhagalpur

1. Sarita Devi Wife Of Manoj Singh Resident Of Village- Bahadurpur, P.S- Kajraili, District- Bhagalpur
2. Raj Kumar @ Raja Son Of Manoj Singh Resident Of Village- Bahadurpur, P.S- Kajraili, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K.Agrawal, Sr.Adv. Mr.Ajay Kumar Jha
For the Opposite Party/s : Mr.Binod Kumar, Addl. Public Prosecutor
Mr.Bachhan Jee Ojha, Navin Kr. Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-08-2023 Heard learned counsel for the petitioners, State and informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 302, 201, 120(B), 34 of the Indian Penal Code.

3. As per the prosecution case, these petitioners alongwith other F.I.R. named accused persons killed the son of the informant, who had gone to attend the marriage ceremony of his relative at Kamalpur.

4. It is submitted on behalf of petitioners that informant is not eye-witness to the occurrence and only on suspicion, petitioners have been made accused in this case.



Petitioner no. 1 is mother of the girl (Gudiya Kumari), with whom the deceased is alleged to have love-affairs and petitioner no. 2 is son of petitioner no. 1. It is further submitted that husband of petitioner no. 1 namely Manoj Singh, in his statement recorded under Section 164 Cr.P.C., has confessed his guilt that he killed the son of informant and during pendency of the present bail application, he (Manoj Singh) and his daughter Gudiya Kumari have already been granted regular bail by a coordinate Bench of this Court, vide order dated 16.08.2023 passed in Cr.Misc. No. 41207 of 2023. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed prayer for anticipatory bail of petitioners.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Bhagalpur in connection with Kajraili P.S. Case No. 19 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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