

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39063 of 2023

Arising Out of PS. Case No.-553 Year-2022 Thana- BHORE District- Gopalganj

1. Kaushalya Devi W/O- Devendra Chauhan Village- Maharadeur Ps- Bhore Dist- Gopalganj
2. Devendra Chauhan Son Of Birendra Chauhan Village- Maharadeur Ps- Bhore Dist- Gopalganj
3. Ramanand Chauhan Son Of Late Shripati Chauhan Village- Maharadeur Ps- Bhore Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh
For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-09-2023

Heard learned counsel for the parties.

2. Learned counsel for the petitioners seeks permission
to withdraw this application with regard to petitioner no.2.

3. Permission is granted.

4. Accordingly, this application is dismissed as
withdrawn with regard to petitioner no.2.

5. Now, this application is being heard only with
regard to petitioner nos.1 & 3.

6. Heard learned counsel for the rest of the petitioners
and learned APP for the State.

7. The petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections



302/34 of the Indian Penal Code pending in the learned court below.

8. As per the prosecution case, all the accused persons including the petitioners are said to have killed the daughter of the informant by strangulating.

9. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is only on the basis of the suspicion the petitioners have been made accused in this case. He submits that there is no specific overt act against the petitioners. He further submits that there is no eye witness in this case who has supported the prosecution case He further submits that petitioners have got one criminal antecedent as stated in para-3 of the bail application.

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

11. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioner nos.1 & 3, let the petitioner nos.1 & 3, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/-



(Rupees Twenty Five Thousand) each 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 Bhore P.S. Case No.553/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

12. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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