

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44250 of 2023

Arising Out of PS. Case No.-370 Year-2022 Thana- NATHNAGAR District- Bhagalpur

1. SHIV SHANKAR MANDAL @ MALHO MANDAL SON OF LATE JAMUN MANDAL VILLAGE GOVINDPUR P.S. MADHUSUDANPUR DISTRICT BHAGALPUR
2. RUBO DEVI @ RUBI DEVI @ RUNO DEVI WIFE OF SHIV SHANKAR MANDAL VILLAGE GOVINDPUR P.S. MADHUSUDANPUR DISTRICT BHAGALPUR
3. BHOLKI DEVI WIFE OF LATE JAMUN MANDAL VILLAGE GOVINDPUR P.S. MADHUSUDANPUR DISTRICT BHAGALPUR
4. KANCHO DEVI @ KANCHAN DEVI @ KANCHANA KUMARI DAUGHTER OF LATE JAMUN MANDAL VILLAGE GOVINDPUR P.S. MADHUSUDANPUR DISTRICT BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya
For the Opposite Party/s : Mr. Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-08-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 306 and other allied Sections of the Indian Penal Code.

3. The informant alleged that, due to abusing by the petitioners and other co-accused persons, say that his wife has illicit relationship with co-accused Ravi Mandal, the informant's



wife became depressed. As a result of which she consumed poisonous substance and during the treatment, she died.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. There is no evidence against the petitioners to support the prosecution case. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in



connection with Nathnagar P.S. Case No.370 of 2022, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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