

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46902 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- CHANDAN District- Banka

1. PINKI DEVI wife of Kailash Yadav Village- Bankidih Ps- Chandan Anandpur Dist- Banka
2. Kailash Yadav son of Manager Yadav Village- Bankidih Ps- Chandan Anandpur Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate
For the State	:	Mr. Akhileshwar Dayal, A.P.P.
For the Informant	:	Mr. Mukesh Kumar, Advocate
		Mr. Shivjee Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-12-2023 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

3. As per F.I.R., informant suspects that these petitioners along with other accused persons kidnapped the son of the informant on 5.1.2023 and committed his murder and threw his dead body into the well on 10.1.2023. The cause of occurrence is that prior to the occurrence, petitioner had threatened the informant with dire consequences.

4. Learned counsel for the petitioners submits that informant is not an eye witness of the occurrence and except suspicion there is no other material available to show complicity



of the petitioners in this case. There is no external or internal injury found on the body of the deceased and the cause of death and its opinion has been reserved till report from the Forensic Science Laboratory, Bhagalpur. Petitioners claim clean antecedent.

5. Learned counsel for the informant vehemently opposes the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Chandan (Anandpur) P. S. Case No. 09 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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