

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63171 of 2023

Arising Out of PS. Case No.-228 Year-2023 Thana- SHAHKUND District- Bhagalpur

1. SHILPI DEVI @ SILAM KUMARI PANDAN YADAV @ PANDAV KUMAR VILLAGE SADPUR TELLIYA TOLA POST PACHRUKHI PS SHAHKUND DISTRICT BHAGALPUR
2. PANDAV YADAV @ PANDAY KUMAR S/O LATE NAGESHWAR YADAV VILLAGE SADPUR TELLIYA TOLA POST PACHRUKHI PS SHAHKUND DISTRICT BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 302, 120(B), 34 of the IPC.

3. Allegation against the petitioners is that they along with other co-accused persons killed the informant's daughter.

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 due to grudge. No such occurrence, in the manner as alleged, has ever taken place.

The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioner nos.1 and 2 are



the sister-in-law (gotani) and brother-in-law (dewar) of the deceased and they used to live in Ludhiana. Petitioner no.1 has no criminal antecedent and petitioner no.2 has one criminal antecedent and several similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 10.10.2023 passed in Cr. Misc. No.55585 of 2023.

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

6. Having regard to the facts and circumstances of the case, considering that petitioner no.1 is female and that similarly situated co-accused have been granted bail, let the above named petitioner no.1, be released on bail, in the event of her 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) 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 Shahkund P.S. Case No.228 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Considering the nature of allegation, I am not inclined to enlarge the petitioner no.2 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

8. However, petitioner no.2 is at liberty to surrender before



the learned Court below within a period of six weeks from today
and seek regular bail and the learned Court below would pass
order, preferably, on the same day, in accordance with law.

9. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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