

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65188 of 2023**

Arising Out of PS. Case No.-60 Year-2023 Thana- MALAYPUR District- Jamui

1. Pramila Devi @ Sarita Kumari W/O Prakash Malik R/O Village-Bichla Katauna, Police Station-Mallehpur, District-Jamui
2. Sanni Malik @ Saurabh Kumar S/O Prakash Malik R/O Village-Bichla Katauna, Police Station-Mallehpur, District-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 31-10-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Mallehpur P.S. Case No. 60 of 2023 dated 23.07.2023 registered for the offence punishable under Sections 302 and 201 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have abducted the informant's wife and killed her and threw her dead body on the railway line



while the informant wife was sleeping in her room.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. Learned counsel has further submitted that the petitioners are made accused in this case only because both of them are wife and son of the co-accused, Prakash Mallick and there is general and omnibus allegation against the petitioners. It is further submitted that as per the Medical Report, the cause of death is C.R. failure due to haemorrhagic shock caused during rail traffic accident.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Jamui in connection with Mallehpur P.S. Case No. 60 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



8. This application stands allowed.

(Chandra Prakash Singh, J)

Atul/-

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