

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28935 of 2024

Arising Out of PS. Case No.-1234 Year-2023 Thana- MADHEPURA District- Madhepura

- 1. Rinku Devi WIFE OF RABINDRA SAH RESIDENT OF VILLAGE- SAKARPURA, PS- MADHEPURA (BHARAHI OP), DIST- MADHEPURA
- 2. KHUSHBU DEVI @ KHUSHBU KUMARI WIFE OF NIRANJAN SAH RESIDENT OF VILLAGE- SAKARPURA, PS- MADHEPURA (BHARAHI OP), DIST- MADHEPURA
- 3. ANIL SAH @ ANIL KUMAR SON OF RAM NARAYAN SAH RESIDENT OF VILLAGE- SAKARPURA, PS- MADHEPURA (BHARAHI OP), DIST- MADHEPURA
- 4. RABINDRA SAH SON OF RAM NARAYAN SAH RESIDENT OF VILLAGE- SAKARPURA, PS- MADHEPURA (BHARAHI OP), DIST- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia
For the Informant : Mr. Amarnath Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-07-2024 Heard learned counsel for the parties.

- 2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 120B of the Indian Penal Code and Section 27 of Arms Act.
- 3. The allegation against the petitioners is that they are involved in the murder of father, mother and brother of the informant.
- 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 an admitted land dispute between the parties. He submits that there is no eye witness to the occurrence. He submits that similarly situated co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 23.04.2024 passed in Cr. Misc. No.22407 of 2024. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submits that regular bail applications of similarly situated co-accused persons have been rejected by a co-ordinate Bench of this Court.

6. Having regard to the facts and circumstances of the case as well as considering that this is a case of triple murder, I am not inclined to enlarge the petitioner nos.3 and 4 on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. However, as petitioner nos.1 and 2 are ladies, let the



above named petitioner nos.1 and 2, 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 Madhepura (Bharrahi O.P.) P.S. Case No.1234 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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