

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54971 of 2024**

Arising Out of PS. Case No.-66 Year-2019 Thana- ROSERA District- Samastipur

1. Godawari Devi wife of Late Kapildeo Jha Village- Kalwara W.No-11, Ps- Rosera Dist- Samastipur
2. Raj Kumari Devi wife of Ram Naresh Jha Village- Kalwara W.No-11, Ps- Rosera Dist- Samastipur
3. Ram Naresh Jha son of Late Yugeshwar Jha Village- Kalwara W.No-11, Ps- Rosera Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr. Prahalad Kumar Bhagat, Advocate |
| For the State        | : | Mr. Anand Kishore Choudhary, APP    |
| For O.P. No.2        | : | Mr. Deepak Kumar, Advocate          |

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

3      26-10-2024              Heard learned counsel for the petitioners, learned A.P.P.  
for the State and learned counsel for O.P. No.2 (complainant).

2. Petitioners apprehend their arrest in connection with  
Rosera P.S. Case No.66 of 2019 arising out of C.R. No.559 of  
2021 instituted under Sections 364 and 120B of the I.P.C.

3. As per prosecution case, it is alleged that when the  
informant's son did not return to his house after attending  
Chhatti feast of the grandson of one Binod Kumar, the  
informant's contacted his son on his mobile which was found  
switched off. Thereafter during search, the motorcycle and  
spectacles were found near Singhiya Bridge and dead body of



two deceased were recovered from Gandak River including the dead body of the son of the informant. Therefore, the informant has got full confidence that the named accused persons have murdered his son due to land dispute.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to land dispute. After investigation, the police submitted final form. However, on the protest-cum-complaint petition filed on behalf of the informant, the cognizance has been taken against the petitioners. There is no evidence against the petitioners except suspicion on behalf of the informant. Petitioner nos.1 is sister, petitioner no.2 is *bhabhi* and petitioner no.3 is full brother of the informant, who are senior citizens. They have no criminal antecedents and they undertake to cooperate in the trial.

5. Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of



the like amount each to the satisfaction of learned J.M., 1<sup>st</sup> Class, Rosera, Samastipur in connection with Rosera P.S. Case No.66 of 2019 arising out of C.R. No.559 of 2021 corresponding to G.R. No.1023 of 2024, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

**(Sunil Dutta Mishra, J)**

Harish/-

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