

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46652 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- WAJIRGANJ District- Gaya

1. BADHO YADAV SON OF LATE BHIM YADAV RESIDENT OF VILLAGE- MADARADIH, P.S. WAZIRGANJ, DISTRICT- GAYA
2. USHA DEVI WIFE OF SANTU YADAV RESIDENT OF VILLAGE- MADARADIH, P.S. WAZIRGANJ, DISTRICT- GAYA
3. RAMRATI DEVI WIFE OF BADHO YADAV RESIDENT OF VILLAGE- MADARADIH, P.S. WAZIRGANJ, DISTRICT- GAYA
4. PUSHPA DEVI WIFE OF VIKASH YADAV RESIDENT OF VILLAGE- MADARADIH, P.S. WAZIRGANJ, DISTRICT- GAYA
5. BITTU KUMAR SON OF BADHO YADAV RESIDENT OF VILLAGE- MADARADIH, P.S. WAZIRGANJ, DISTRICT- GAYA
6. SHOBHA KUMARI D/O OF BADHO YADAV RESIDENT OF VILLAGE- MADARADIH, P.S. WAZIRGANJ, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh
For the Opposite Party/s	:	Mr. Binod Kumar
For the Informant	:	Mr. Vinod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-01-2024 Heard learned counsel for the petitioners, learned counsel for the informant as well as learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 504/34 of the Indian Penal Code.

3. As per the FIR, the informant has raised suspicion against the petitioners and others that they came to her house and killed her father by hanging him.



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 previous enmity between the parties. 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 no specific overt act against the petitioners. He submits that both the sides are agnates and there is an admitted land dispute between them. He further submits that the post-mortem report as well as viscera report of the deceased has not supported the prosecution case. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners, 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 Wazirganj P.S. Case No.04 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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