

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81126 of 2023

Arising Out of PS. Case No.-500 Year-2022 Thana- RAJAON District- Banka

1. Gautam Yadav @ Gautam Kumar S/O Shivnandan Yadav Village- Kakariya, Ps. Barahat, Dist. Banka
2. Anjani Devi W/O Ashok Yadav Village- Makhanpur, Ps. Barahat, Dist. Banka.
3. Dharmendra Yadav S/O Vasudev Yadav Village- Jagdishpur, Ps. Rajoun, Dist. Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Rajoun P.S. Case No. 500 of 2022 dated 02.11.2022 instituted for the offence punishable under Sections 341, 323, 365/34 of the Indian Penal Code and subsequently Sections 302, 201, 120(B) of the Indian Penal Code has been added.

3. The prosecution case, in short, is that on 01.11.2022 in night, ten persons came at the house of the informant and started assaulting her father-in-law. It is also alleged that co-accused Baby Devi, who is the sister-in-law (*Gotni*) of the



informant along with others, have kidnapped her son, namely Gurudeo Yadav.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is specific allegation against Baby Devi and Ashok Yadav. After investigation, charge sheet has been submitted against Baby Devi and Ashok Yadav and further investigation is pending. Learned counsel for the petitioners submits that petitioner no. 2 is the mother of Baby Devi and wife of Ashok Yadav and petitioner nos. 1 and 3 are the relatives of Baby Devi. Learned counsel for the petitioners submits that dead body of the Gurudeo Yadav has been recovered from the bank of river. Learned counsel for the petitioners submits that the said Baby Devi is the sister-in-law(*Gotni*) of the informant and there is no material available on record against the petitioner which connects the petitioners in this incident. Lastly, it has been submitted that petitioner nos. 1 and 3 have no criminal antecedents while petitioner no. 2 has one criminal case against her.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Rajoun P.S. Case No. 500 of 2022, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate/Successor Court, Banka subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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