

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Cr Misc No 18862 of 2009**

- 1) Sunil Kumar @ Sunil Yadav, son of Bokhari Yadav
- 2) Baby Kumari @ Baby Devi, wife of Sunil Kumar
- 3) Sairun Devi, wife of Anil Yadav
- 4) Girija Devi, wife of Bakhori Yadav, residents of Village – Barki Akauna, P  
S – Ghoshi, District - Jehanabad

- **Petitioners**

**Versus**

State of Bihar

- **Opposite Party**

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**2      28.05.2009**

Petitioners apprehend arrest in Ghoshi Police Station

Case No 134 of 2007 registered under Sections 302, 201/34 of Indian Penal Code. Petitioner No 1 is the brother-in-law of the deceased, petitioner No 2 is the wife of petitioner No 1, petitioner No 3 is the wife of another brother-in-law of deceased, namely, Anil Yadav and petitioner No 4 is the mother-in-law. The informant is the brother of the deceased who files the first information report alleging that his sister was married to one Bullu Yadav more than 8 years back. The couple were blessed with 2 daughters. The informant's elder sister was also married in the same village and on 16.07.2007, she informed him that the younger sister had been killed on 14.07.2007 by the accused persons and body disposed of. On basis of the aforesaid, police conducted an investigation and found that the lady had died because of natural reasons, sister being in the same village, had been informed and had participated in the cremation as well but she did not inform other relations. It is only after cremation that she informed other relations and now a first information report has been lodged giving it a colour that the husband wanted to remarry and, therefore, the lady had been killed. Police found the entire prosecution to be false and a mistake of fact and,

as such, final form was submitted but on protest, cognizance has been taken. Anil Yadav has already been granted bail by this Court in Cr Misc No 38556 of 2008 by order dated 17.12.2008.

In the facts and circumstances of the case, if the petitioners abovenamed surrender before the Court below within four weeks from today, they shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad in Ghoshi Police Station Case No 134 of 2007 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

M.E.H./

(Navaniti Prasad Singh)

