

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56560 of 2019

Arising Out of PS. Case No.-175 Year-2019 Thana- KALYANPUR District- Samastipur

1. Mukesh Singh S/o Ram Naresh Singh, R/o Village- Jhakhra, P.S.- Kalyanpur, District- Samastipur.
2. Shyam Kumar Singh S/o Sri Mukesh Singh, R/o village- Jhakhra, P.S.- Kalyanpur, District- Samastipur.
3. Savitri Devi W/o Sri Mukesh Singh, R/o village- Jhakhra, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Advocate Mr.Udbhav, Advocate Mr.Malay Kumar Choudhary, Advocate
For the State	:	Mr.Ashok Kumar Singh, APP
For the Informant	:	Mr.Arinjay Kumar, Advocate Mr.Nawal Kishor Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State as also learned counsel for the informant.

Petitioners in the present case are seeking anticipatory bail in connection with Kalyanpur P.S. Case No. 175 of 2019 registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Learned counsel further submits that the entire allegation alleged against the petitioners is absurd. There was an



accidental burn injury which was received by daughter of the informant and while trying to save his wife the son of petitioner no. 1 was burnt himself and died due to the said burn injury.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the facts and circumstances of this case, where there was said to be a love marriage between the son of the petitioner no. 1 and daughter of the informant and in the alleged occurrence while trying to save his wife the son of petitioner no. 1 was burnt himself and died due to the said burn injury and further that in the facts and circumstances of the case even informant is now not opposing the prayer of anticipatory bail but has shown concerned only with respect to the minor child born out of the wedlock between the son of the petitioner no. 1 and daughter of the informant as also that there is no material to connect these petitioners with the alleged occurrence, in the event of their arrest or surrender within a period of four weeks from today, let the petitioners abovenamed be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 175 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

vats/ved

U		T	
---	--	---	--

