

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61596 of 2019

Arising Out of PS. Case No.-185 Year-2019 Thana- BARAULI District- Gopalganj

Suresh Prasad B Barnwal, aged about 65 years (male), Son of Late Bigan Sah,
Resident of Village- Badhaya More, P.S.- Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Barauli P.S. Case No. 185 of 2019 registered under
sections 302 and 201/34 of the I.P.C.

The allegation against the petitioner, as per the first
information report, is that the informant alleged that the sister of
the informant was married to the son of the petitioner in the year
2009. It has further been alleged that the son of the petitioner
namely Pappu Prasad Barnwal used to torture the sister of the
informant under the influence of liquor and used to demand a
motorcycle from the deceased and her family members. It has
further been alleged that on 02.06.2019 at about 1:00 PM the
informant got a call from the borther-in-law of his younger



brother that the sister of the informant was in some problem. Upon inquiry, the informant came to know from his brother-in-law Pappu Prasad Barnwal that his sister was suffering from some disease and she was being taken to Patna for treatment by him but in the midst she died. It has further been alleged that cremation of the body was done in Hajipur.

Learned counsel for the petitioner submits that from perusal of the first information report, it would be evident that it was the husband of the deceased who was responsible for the occurrence inasmuch as in the first information report the allegation of demand of motorcycle and torture is against the husband of the deceased and the petitioner is the father-in-law of the deceased and has merely been made accused in the first information report by the informant and no overt act has been alleged against him. Learned counsel further submits that age of the petitioner is 65 years and he is suffering from kidney problem. Learned counsel further submits that the husband of the deceased is in custody.

Having regard the submission made by the parties and taking into consideration the fact that no overt act has been alleged against the petitioner, who is father-in-law of the deceased, I am inclined to grant anticipatory bail to the



petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADDL. Chief Judicial Magistrate-XIV, Gopalganj in connection with Barauli P.S. Case No. 185 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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