

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17395 of 2020**

Arising Out of PS. Case No.-318 Year-2019 Thana- BISFI District- Madhubani

1. CHHEDI DAS Son of Jiya Das Resident of Village - Singhiya Got, P.S.- Bisfi, District - Madhubani.
2. Binod Das Son of Jiya Das Resident of Village - Singhiya Got, P.S.- Bisfi, District - Madhubani.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 23-09-2020 Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State in absence of Mr. Ashok Kumar, APP.

Although initially the application was filed on behalf of two petitioners, in the order dated 21.07.2020 this Court has recorded that petitioner no. 2 has already been arrested, hence this application has become infructuous on behalf of petitioner no. 2.

So far as petitioner no. 1 is concerned, he is father in law of the deceased and is apprehending his arrest in connection with Bisfi P.S. Case No. 318 of 2019 registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

Submission of learned counsel for the petitioner is that in course of investigation it has come that the daughter-in-law of petitioner no. 1 had hanged herself, ligature marks were found



suggesting it is a case of suicide and the witnesses have stated in course of investigation that this petitioner is residing outside his village. The husband has already surrendered and is in jail. Otherwise the petitioner has got no criminal antecedent and he is an old aged person.

Although learned APP for the State has opposed the prayer for anticipatory bail of the petitioner no. 1 but considering the facts and circumstances of the case that the petitioner is an old aged person, there is no direct material to *prima-facie* satisfy his involvement in the occurrence and the husband has already surrendered, there being witnesses who are suggesting that the petitioner is residing outside his village, let the petitioner no.1, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.c.J.M. I, Benipatti, in connection with Bisfi P.S. Case No. 318 of 2019 arising out of G.R. No. 825 of 2019, subject to the condition as laid down under Section 438(2) 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.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

