

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26874 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- KHIRI MORE District- Patna

1. Renu Devi @ Renu Kumari, Wife of Munna Kumar, Resident of Village - Kalyanpur, P.S. - Paliganj, District - Patna.
2. Phekan Yadav, Son of Prem Yadav, Resident of Village - Tekari, P.S. - Kinjar, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 02-02-2021 Heard learned counsel for the petitioners and Mr. Atul Chandra, learned APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Khiri More P.S. Case No.30 of 2020 registered for the offences punishable under Sections 304(B), 201 and 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that the petitioner no.1 is said to be the married Nanad (sister-in-law of the deceased), who lives in her sasural and the petitioner



no.2 is a distant relative of the husband of the deceased.

Learned counsel submits that the allegations are general and omnibus against all the family members and the mother-in-law of the deceased has already been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr.Misc.No.27431/2020.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case wherein the petitioner no.1 is said to be the married Nanad (sister-in-law of the deceased), who lives in her sasural, the marriage between the deceased and the brother of petitioner no.1 had taken place about nine years ago, the allegations are general and omnibus against all the family members and the mother-in-law of the deceased has already been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr.Misc.No.27431/2020 and further that so far as petitioner no.2 is concerned, he is a distant relative of the husband of the deceased and has been made accused with the aid of Section 201 of the Indian Penal Code only, let the petitioners above-named in the



event of their arrest or surrender within a period of four weeks from today in connection with Khiri More P.S. Case No.30 of 2020 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Danapur, District-Patna, subject to the conditions 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.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed



their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(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'.

