

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5992 of 2022

Arising Out of PS. Case No.-90 Year-2021 Thana- AKBARNAGAR District- Bhagalpur

1. Ranju Devi W/o Krishna Paswan Resident of Village - Purab Tola, Akbarnagar, P.s.- Akbarnagar, Distt.- Bhagalpur.
2. Shilpi Kumari W/o Krishna Paswan Resident of Village - Purab Tola, Akbarnagar, P.s.- Akbarnagar, Distt.- Bhagalpur.
3. Prince Kumar Son of Krishna Paswan Resident of Village - Purab Tola, Akbarnagar, P.s.- Akbarnagar, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Swapnil Kumar Singh, Advocate
For the State	:	Mr. Madan Kumar, APP
For the Informant	:	Mr. P.N. Shahi, Sr. Advocate
		Mr. Bijendra Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 04-04-2022 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners, learned APP for the State as well as learned senior counsel for the informant.

The petitioners apprehend their arrest in connection with Akbarnagar P.S. Case No.90 of 2021 registered for offences under Sections 304B/34 of the Indian Penal Code.

At the very outset, learned counsel for the petitioners seeks permission to withdraw the application on behalf of petitioner no.3, namely, Prince Kumar.



Permission is accorded.

The application for anticipatory bail is dismissed as withdrawn so far as petitioner no.3, namely, Prince Kumar is concerned.

In case petitioner no.3, namely, Prince Kumar surrenders and prays for regular bail before the court below within a period of four weeks from today, the court below will consider the petition for regular bail of the petitioner without being prejudiced by the fact that anticipatory bail petition has been dismissed as withdrawn.

From reading of the first information report and after going through the materials available on record it seems that the deceased was killed brutally and ante mortem injuries have been found on the dead body of the deceased.

It has been submitted that petitioner no.1, who is mother-in-law of the deceased, is suffering from breast cancer and her case may be considered sympathetically. He also submits that petitioner no.2 is an unmarried sister-in-law (Nanad) of the deceased and she being junior member of the family has no role in the death of the deceased.

Though there are serious allegations against petitioner no.1, who is mother-in-law of the deceased, but considering the



fact that she is a patient of breast cancer, her application for anticipatory bail is allowed. Similarly, prayer for anticipatory bail of petitioner no. 2 being the junior member of the family and unmarried sister-in-law (*Nanad*) of the deceased, her application is also allowed.

Accordingly, let petitioner nos.1 and 2, namely, Ranju Devi and Shilpi Kumari, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Bhagalpur in connection with Akbarnagar P.S. Case No.90 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, petitioner nos.1 and 2, namely, Ranju Devi and Shilpi Kumari shall appear in the court below and if they do not cooperate in disposal of the trial, their bail bonds shall be cancelled.

(Sandeep Kumar, J)

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