

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15867 of 2022

Arising Out of PS. Case No.-65 Year-2021 Thana- MADHAURAH District- Saran

1. PANCHHI RAI S/O LATE RAGHUPAT RAI RESIDENT OF VILLAGE- BIN BAHURA, P.S. MARHAURA, DISTRICT- SARAN
2. TILSHWARI DEVI W/O PANCHHI RAI RESIDENT OF VILLAGE- BIN BAHURA, P.S. MARHAURA, DISTRICT- SARAN
3. GYANTI KUAR W/O LATE RAJESH RAI RESIDENT OF VILLAGE- BIN BAHURA, P.S. MARHAURA, DISTRICT- SARAN
4. URMILA DEVI D/O PANCHHI RAI RESIDENT OF VILLAGE- BIN BAHURA, P.S. MARHAURA, DISTRICT- SARAN
5. MANTI DEVI D/O PANCHHI RAI RESIDENT OF VILLAGE- BIN BAHURA, P.S. MARHAURA, DISTRICT- SARAN
6. SUNIL RAI S/O SHIVPUJAN RAY RESIDENT OF VILLAGE- ITAHIYAN, P.S. KHAIRA, DIST.- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Nikunj, Adv.

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 120-B



and 302 of the IPC.

Allegedly, the petitioner no.3 was married to the deceased and other petitioners are her parents, sisters and brother-in-law. It is alleged by the complainant that all the petitioners under a conspiracy have killed his son, whose dead body was found hanging on a tree.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to grudge. No such occurrence, in the manner as alleged, has ever taken place. Petitioners have no criminal antecedent. Earlier, police has lodged an U.D. case on the written application of the father of the deceased (Annexure-2). Later on, informant has filed a complaint petition in the Court below and Court below has sent the said complaint to the police to lodge F.I.R. On that basis the present F.I.R. was lodged. Learned counsel for the petitioners further submits that after enquiry, police has filed final form against the petitioners but on the basis of protest petition, learned Court below has taken cognizance against the petitioners. It is further submitted that there is no eye-witness to the alleged occurrence and only on suspicion, petitioners have been made accused in this case.



Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Marhaura (Gaura O.P.) P.S. Case No.65 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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