

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5297 of 2023

Arising Out of PS. Case No.-205 Year-2021 Thana- PAKRIDAYAL District- East Champaran

AJAY SINGH @ AJAY KUMAR SINGH S/o Indrajeet Singh R/o Village-
Bariyarpur, P.S.- Nautan, Distt- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Pakaridayal P.S. Case No.- 205 of 2021 registered for the offences punishable under Sections 304B, 201, 120B, 34 of the Indian Penal Code. He has got no criminal antecedent.

As per the prosecution story, the daughter of the informant was married to accused Rahul Kumar in the year 2015. On 20.09.2021, the father-in-law of his daughter informed that she is not well and that she has been taken to Motihari and then Patna for treatment. But later on, on 21.09.2021 at about 8:00 A.M. the informant came to know that his daughter has died and has been cremated. The informant was then informed by the locals that his daughter was being burnt by the accused



persons by sprinkling kerosene over her.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the father-in-law Srikant Singh and mother-in-law Urmila Devi have already been granted the privilege of pre-arrest bail by learned Coordinate Bench in Cr. Misc. No. 57031 of 2022 and the husband of the deceased is already in judicial custody.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein this petitioner is the son-in-law of Srikant Singh, in the FIR itself it is stated that he lives in another village, the fact that the father-in-law Srikant Singh and mother-in-law Urmila Devi have been granted the privilege of pre-arrest bail by learned Coordinate Bench in Cr. Misc. No. 57031 of 2022 and the husband of the deceased is already in judicial custody, the petitioner who has otherwise no criminal antecedent, this Court directs release of the petitioner above named on bail in the event of his arrest or surrender within a period of four weeks from today in connection with Pakaridayal P.S. Case No.- 205 of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty



Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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