

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9105 of 2023

Arising Out of PS. Case No.-380 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

1. Prema Devi Wife Of Late Dharmendra Ram R/O Vill.- Mokari, P.S.- Bhabua, Distt.- Kaimur At Bhabua
2. Anil Kumar Son Of Bhikhari Ram R/O Vill.- Ruppur, P.S.- Bhabua, Distt.- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seeks bail, who is in custody since 23.11.2022 in connection with Bhabhua P.S. Case No. 380 of 2022, F.I.R. dated 16.06.2022 registered for the offence punishable under Sections 306 and 34 of the Indian Penal Code.

The prosecution case, in short, is that the informant Sunny Deol gave his fardbeyan to S.H.O. Bhabhua P.S. alleging therein that from previous three months Mausera brother of my mother namely Anil Kumar came at my home and my mother used to go with him and



returned after 2-3 days and started quarrel with my father. It is further alleged that on 14.06.2022 quarrel took place between father and mother regarding such matter, then mother made complaint at police station then they called at police station and send back after pacify the matter. It is also alleged that after coming to house both started quarreling. Father of informant taken meal and went for sleeping. In the morning the informant saw that his father hanged himself, then villagers came and cut to rope but he found dead.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. Further submits that it appears from the FIR that the deceased has committed suicide himself and there is no allegation of any abetment against the petitioners and the petitioner No.1 is wife of the deceased and the police, after investigation, submitted chargesheet against the petitioners under Sections 306 of IPC and the petitioners are in custody since 23.11.2022.

Learned APP for the State has opposed the prayer



for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Bhabhua P.S. Case No. 380 of 2022, with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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.

(Rajesh Kumar Verma, J)

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