

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.14758 of 2023**

Arising Out of PS. Case No.-122 Year-2022 Thana- CHHAURADANO District- East  
Champaran

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1. SANTOSH BAITHA Son of Nagina Baitha @ Nagendra Baitha R/V-  
Chainpur, P.S.- Chhauradano, District- East Champaran
  2. TETARI DEVI Wife of Santosh Baitha R/V- Chainpur, P.S.- Chhauradano,  
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH  
ORAL ORDER**

2      23-05-2023                      Heard the learned counsel for the petitioners  
and the learned APP for the State.

This is an application for grant of anticipatory  
bail in connection with Chhauradano PS case no. 122 of 2022,  
registered for the offences punishable under Section 302/34 of  
the Indian Penal Code.

The case of the prosecution in brief is that on  
27.04.2022, the informant received information on her mobile  
phone that the accused persons including the petitioners  
herein had committed murder of her daughter by tying rope  
around her neck on account of dispute having arisen due to  
plucking of lemon.



The learned counsel for the petitioners submits that the petitioners are innocent, have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that while the petitioner no. 1 is the brother-in-law of the deceased victim lady, the petitioner no. 2 is her sister-in-law and they are not having any complicity in the matter. It is also submitted that the mother-in-law and sister-in-law of the deceased victim lady have already been granted the privilege of bail by the learned trial court, as is apparent from the impugned order dated 27.01.2023. Lastly, it is submitted that the witnesses have stated that the deceased had committed suicide.

*Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the mother-in-law and sister-in-law of the deceased victim lady have already been granted the privilege of bail by the learned trial court and the petitioners' case stand on a similar footing,



I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail,

Accordingly, the abovenamed petitioner, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M. Raxaul at Motihari, East Champaran in connection with Chhauradano PS case no. 122 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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