

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27372 of 2023

Arising Out of PS. Case No.-599 Year-2021 Thana- AMARPUR District- Banka

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1. MD SHAMSHER Son of Late Jalil R/V- Dumrao PS- Amarpur Dist- Banka
 2. Md. Naushad Son of Late Jalil R/V- Dumrao PS- Amarpur Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanka Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-07-2023 1. Heard learned Senior counsel for the petitioners and learned A.P.P. for the State alongwith learned counsel for the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 306/34 of the Indian Penal Code.
3. Learned Senior counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his daughter was in love with Md. Parwez, further on coming to know about the love affair between Parwez and his daughter he went to the house of the petitioners and the petitioners assured that they will get Parwez married with the informant's daughter, but the daughter of the



informant on coming to know that Md. Parwez marriage has been fixed elsewhere she committed suicide.

4. Learned Senior counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that Parwez and the informant's daughter were in love, and when the marriage of Parwez was fixed elsewhere she committed suicide, it is next submitted that petitioners were not even aware that Parwez is in love with the informant's daughter though in the FIR it is alleged that they had assured marriage between the two, it is further submitted police after threadbare investigation submitted final form in favour of the petitioners finding them innocent but the learned trial court in a mechanical manner differing with the police report took cognizance by order dated 19.11.2022 (Annexure 3), it is next submitted that even presuming what has been alleged is true without admitting then petitioners cannot be said to have abetted the suicide of the informant's daughter.

5. Learned A.P.P. for the State alongwith learned counsel for the informant opposes the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submission of the learned Senior counsel that police after



investigation submitted final form in favour of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Amarpur P.S. Case No. 599 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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