

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52114 of 2023

Arising Out of PS. Case No.-171 Year-2021 Thana- GARKHA District- Saran

Munna Kumar Son of Jaikishun Rai, Resident of Village- Panchbheria (Pachbheria), P.S.- Garkha, Distt- Saran at Chapra at Present Residing at Village- Dumariya, P.S.- Chapra Muffasil, Distt- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-08-2023 Heard learned Counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Garkha P.S. Case No.171 of 2021 arising out of Complaint Case No.1680 of 2020 dated 11.03.2021, lodged under Sections 302 201, 34 of the Indian Penal Code.

3. As per prosecution case, the present F.I.R. has been lodged by virtue of the complaint converted into Section 156(3) of Cr.P.C. in which total 9 persons were made accused including the present petitioner. It has been alleged in the complaint that soon after marriage, petitioner's son including her in-laws' started demanding Rs.5 lac and on non-fulfillment, they assaulted the complainant/informant and her husband and



demanded their share in the property and thereafter petitioner alongwith other co-accused assaulted and killed the husband of complainant/informant.

4. Learned counsel for the petitioner submits that from the content of complaint petition, it transpires that there is absolutely no allegation against the present petitioner. He further submits that only statement and allegation of connivance in one line has been mentioned in the F.I.R., save and except there is absolutely nothing. He also submits that the accused no.1 namely Ram Nath Rai has been granted bail by the Co-ordinate Bench of this Court vide order dated 25.05.2023 passed in Cr. Misc. No.27348 of 2023. He further submits that antecedent of petitioner is clean.

5. Learned A.P.P. for the State opposes the prayer for bail but accepts that there is no allegation against the petitioner in the F.I.R.

6. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class,



Saran at Chapra, in connection with Garkha P.S. Case No.171 of 2021 arising out of Complaint Case No.1680 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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