

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56031 of 2023

Arising Out of PS. Case No.-117 Year-2022 Thana- DIDARGANJ District- Patna

1. Chandan Kumar S/O Makru Singh R/O Khaspur, P.S- Didarganj, Distt.- Patna.
2. Munni Devi W/O Chandan Kumar R/O Khaspur, P.S- Didarganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners and the learned Additional Public Prosecutor (for brevity 'APP') for the State.

2. The petitioners are apprehending their arrest in connection with Didarganj P.S. Case No. 117/ 2022 registered for the offence punishable under Section 304 (B) of the Indian Penal Code (for brevity 'IPC').

3. Informant's daughter was married in the year 2021, about a year prior to the alleged occurrence. Informant has alleged that her daughter has been thrashed to death by bricks.

4. Learned counsel for the petitioners submits that petitioners are elder brother-in-law and sister-in-law of the victim. Petitioner No. 2, has same status in the matrimonial



family as that of the deceased. The death of the victim has occurred due to collapse of a wall, whereby she has sustained injury, being the only person present at the time of collapse. The petitioners have no concern with the affairs of the alleged victim, and her husband. Merely on suspicion, they have been made accused by virtue of their relationship with the victim and her husband. Husband of the victim is already in custody. Petitioners bears clean antecedents.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Having regard to the submissions advanced by the petitioners' counsel, relationship of the petitioners, looking at the nature of allegations where all the family members have been made accused, clean antecedents of the petitioners, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

7. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna City, in connection with Didarganj



P.S. Case No. 117/2022, subject to the following conditions:

- (i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.
- (ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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