

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54533 of 2022

Arising Out of PS. Case No.-36 Year-2022 Thana- ANTI District- Gaya

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1. JAI RAM GIRI S/O LATE BHAGWAT GIRI Resident of village- Kaithi Mathiya, P.S.- Aanti, District- Gaya.
 2. PUTUL DEVI @ LILA DEVI W/O JAI RAM GIRI Resident of village- Kaithi Mathiya, P.S.- Aanti, District- Gaya.
 3. MANTU GIRI @ MANTU KUMAR @ MONTY GIRI S/O JAIRAM GIRI Resident of village- Kaithi Mathiya, P.S.- Aanti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. PURUSOTTAM GIRI S/O JAIRAM GIRI Resident of village- Kaithi Mathiya, P.S.- Aanti, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Uday Kumar, Advocate
For the Opposite Party/s	:	Mr.Bhanu Pratap Singh, APP
For the informant	:	Mr. Mritunjay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-01-2023 Heard learned counsel for the petitioner and learned
APP for the State as also the informant.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioners are apprehending arrest in
connection with Aanti P.S. Case No. 36 of 2022 under section
306/34 of the Indian Penal Code.

As per the prosecution story, the informant, the
husband of the lady alleged that on 14.5.2022, they were
assaulted by their own family members. After which, the couple



locked themselves in the room and took extreme steps of swallowing sulphos tablet after which, their conditions deteriorated and as they raised 'hullah', were rushed to the Guraru hospital and then to Magadh Medical Hospital where his wife died in the evening while he was under treatment. Accordingly, the FIR.

Learned counsel for the petitioners submit that hot discussion happens in every family and it does not mean that any family member will take extreme steps and this is just an *alibi* to make them guilty and put them behind the Bars.

The petitioner no.1 is father, the petitioner no.2 is mother and the petitioner no.3 is younger brother of the complainant.

Learned counsel for the complainant has since appeared and submits that they were under mental depression that led to their taking extreme steps and while being treated at hospital, he was not in a good frame of mind and thus made statement against his family members who had no role to play in the matter. Further, after treatment, he has since returned to the family where his two children are being kept and taken care by his own mother (petitioner no.2).

Taking into account the aforesaid fact, although



there is unfortunate death of a lady due to rush of blood and since the FIR has been lodged and ultimately they will have to face the trial, for the present, it would be appropriate to extend them the privilege of anticipatory bail.

Let the petitioners be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Gaya, in connection with Aanti P.S. Case No. 36 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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