

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58328 of 2023

Arising Out of PS. Case No.-862 Year-2022 Thana- NAGAR District- Vaishali

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1. Rajendra Prasad Singh S/O Late Chandra Singh R/O Village- Andar Kila, P.S- Hajipur Town, Distt.- Vaishali.
 2. Rajesh Kumar @ Rajesh Kumar Singh S/O Rajendra Prasad Singh R/O Village- Andar Kila, P.S- Hajipur Town, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	None.
For the Opposite Party/s	:	Mr. Md. Nazir Ansari, APP
For the Informant	:	None.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2023 No one appeared on behalf of the petitioners and informant, however, counsel for the State is present.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498(A) and 304/34 of the Indian Penal Code.

3. As per the prosecution, marriage of informant's sister was solemnized in the year 2011 from which she had two kids, one son and one daughter aged about 11 years and the 2.5 years respectively. It has been alleged in the FIR that due to consumption of wrong medicines, the mental state of the informant's sister was not good and she was alleged to be killed due to continuous torture and consumption of wrong medicines.

4. It has been submitted that the allegation made in the FIR is out-and-out false and from the content of FIR it transpires that the marital life of the deceased and her husband was good and only due to this reason the deceased had two kids from her husband. It has been submitted that the deceased was an old patient of schizophrenia and she was going through continuous medications. It is also submitted that annexure-2 series is the prescription by which it has become crystal clear that the deceased was under treatment. It has been submitted that petitioner no.1 is the old aged father-in-law of about 73 years and petitioner no.2 is the brother-in-law.

4. It is submitted that petitioners are innocent and have committed no offence. It has been submitted that petitioner no.1 and 2 were living separately from the deceased and her husband. Submission is that the anticipatory bail application of the husband has been rejected in the trial and he is presently not in custody.

5. Learned APP for the State opposes the prayer for bail and submits that it has come in the pleading that petitioners were living separately.

6. In the present facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Town P. S. Case No.862 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Ashishsingh/-

(Dr. Anshuman, J.)

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