

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60828 of 2023

Arising Out of PS. Case No.-110 Year-2023 Thana- CHARPOKHARI District- Bhojpur

1. PARMESHWAR SINGH @ BHUAR SINGH, S/O TEJBRON SINGH R/O VILLAGE- MUKUNDPUR , P.S- CHARPOKHARI, DISTT.- BHOJPUR.
2. PHULWASO DEVI, W/O PARMESHWAR SINGH R/O VILLAGE- MUKUNDPUR , P.S- CHARPOKHARI, DISTT.- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Rajani Kant Singh, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 1. Heard learned counsel for the petitioners and learned APP for the State of Bihar.

2. The petitioners are apprehending their arrest in connection with Charpokhari P.S. Case No. 110 of 2023 registered for offence under Sections 302, 201 and 34 of Indian Penal Code.

3. As per prosecution case, the informant has alleged that his sister has been done to death at her matrimonial home. The informant received such intimation on 10.06.2022 at 06:00 AM which led to lodging of the FIR.

4. It is submitted by learned counsel for the petitioners that the deceased suffered a natural death. The same



has been made the basis of lodging of this false case, about 14 years after marriage of the deceased with the son of the instant petitioners. Petitioner No. 1 is the father-in-law and Petitioner No. 2 is the mother-in-law of the victim. They are elderly persons and by falsely submitting that marriage was solemnized 10 years back, FIR has been lodged. The petitioners have no concern with the affairs of the deceased and her husband and by virtue of their relationship, they have been implicated. Petitioners have no criminal antecedents.

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

6. Considering the rival submissions, the fact that petitioners are father-in-law and mother-in-law, nature of allegations and clean antecedents of the petitioners, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

7. Petitioners' prayer for anticipatory bail is allowed.

8. 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 bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the



learned J.M. Ist Class, Ara, District- Bhojpour, in connection with Charpokhari P.S. Case No. 110 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor 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 bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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