

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60149 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- GARDANIBAG District- Patna

1. RANJU KUMARI D/O- Sh. Suryakant Bhagat R/O Near Devi Sthan, New Paharpur, Police Colony, Anisabad, P.S.- Phulwarisharif, Dist- Patna, Bihar- 800002.
2. SHIV KUMARI Wife of Sh. Suryakant Bhagat R/O-H.No. 590/1, New Paharpur, Devi Sthan, Police Colony, Anisabad, P.S.- Phulwarisharif, Dist- Patna, Bihar- 800002.
3. SURYAKANT BHAGAT S/O- Sh. Upendra Bhagat R/O-Dev Sthan, New Paharpur, Anisabad, Phulwari, Anisabad, P.S.- Phulwarisharif, Dist- Patna, Bihar- 800002.
4. ROHIT KUMAR @ RAJU Son of Sh. Surya Kant Bhagat R/O-Dev Sthan, New Paharpur, Anisabad, P.S.- Phulwarisharif, Dist- Patna, Bihar- 800002
5. PRABHAT KUMAR @ CHINKU Son of Sh. Suryakant Bhagat R/O- H.NO. 590/1, New Paharpur, Devi Sthan, Anisabad, P.S.- Phulwarisharif, Dist- Patna, Bihar- 800002

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Prabhakar, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection
with Garadanibagh P.S. Case No.69 of 2022 instituted under
Sections 306/34 of the IPC.

As per the prosecution story, the mother informant of
the deceased alleged that her son was married to petitioner no.1,



Ranju Kumari but she always wanted to remain in 'Maika'. Further allegation is that there was marriage ceremony in her daughter-in-law's house where her son was visiting and the informant also joined the said ceremony. After the same was over as the husband insisted the wife to accompany them to their home, she refused. The further allegation is that he was humiliated and thereafter they went to their respective bed. In the morning, she came to know that her son had committed suicide. Accordingly, the FIR was lodged.

Learned counsel for the petitioners submit that there was a small argument between the couple and infuriated by that, husband committed suicide. The petitioner no.1 has already suffered and has now become widow and her family members had no role to play in the matter who have also been made accuseds.

Learned APP on the other hand opposes the prayer for anticipatory bail stating that due to the abuse and, humiliation, that deceased committed suicide.

From the FIR, it is clear that it was due to stubborn attitude of the lady (petitioner no.1) that forced the informant's son to commit suicide. However, the lady has already suffered inasmuch as she has lost her husband. The other accuseds are



her family members FIR has been instituted and ultimately they will have to face the trial. In the aforesaid circumstance, this Court is inclined to grant them privilege of bail to the lady as also her family members who are petitioner nos.2 to 5 being father, mother and brother.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Garadanibagh P.S. Case No.69 of 2022 to the satisfaction of learned ACJM, XIVth, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any
criminal offence again failing which the State shall be at liberty to
take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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