

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65741 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- JOKIHAT District- Araria

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1. JAY KUMAR SAH Son of Ram Narayan Sah R/o vill - Dalmalpur, P.S. - Amaur, Distt. - Purnea
 2. PRAMILA DEVI W/O Jay Kumar Sah R/O Vill - Dalmalpur, P.S. - Amaur, Distt. - Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Vijay Kishore Bharti, Advocate
For the State : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-10-2023 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 Jokihat (Mahalgaon) P.S. Case No. 204 of 2023 registered for offence under Sections 305 and 34 of Indian Penal Code.

3. As per prosecution case, the informant's minor daughter was found hanging. Some person disclosed that the petitioners' son, namely *Naveen Kumar Sah*, was seen moving near the house of the victim. It is in this circumstance that the informant has alleged that the petitioners were pressurizing their daughter to solemnize marriage with their son *Naveen Kumar*



Sah, failing which they would defame her. Under such pressure and depression, she has committed suicide.

4. It is submitted by learned counsel for the petitioners that the deceased in fact may have had some relation with the petitioners' son. The petitioners are the father and mother of *Naveen Kumar Sah* and have been implicated in this case only because of their relationship with *Naveen Kumar Sah*. From the seizure memo, it is obvious that a notebook wherein hand inscribed note of the deceased has been recovered shows her obsession with the petitioners' son. The petitioners had no concern with the victim and discovery of these facts are to their surprise now. They are having no antecedents. The son of the petitioners, namely *Naveen Kumar Sah*, is already in custody.

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

6. Considering the rival submissions, material in the investigation, relationship of the petitioners with *Naveen Kumar Sah* and their clean antecedents, 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 C.J.M., Araria, in connection with Jokihat (Mahalgaon) P.S. Case No. 204 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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