

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66221 of 2023

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

Anil Kumar Singh, Son of Parmeshwar Singh @ Bhuar Singh, R/O Village
Mukundpur , P.S- Charpokhari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

For the Opposite Party/s : Mrs.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Charpokhari P.S. Case No. 110 of 2023 registered for the alleged offences under Sections 302, 201/34 of the Indian Penal Code.

3. As per prosecution case, the sister of the informant was killed by her husband-petitioner and other co-accused persons and her dead body was disposed of.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Even in the FIR, there is only suspicion against the petitioner and other co-accused persons. The petitioner is the husband of the deceased and he is physically handicapped



person because he is deaf and dumb as well as mentally weak. The marriage was solemnized 14 years ago and the petitioner and the deceased have two sons aged about 13 years and 8 years, respectively. The real fact of the case is that the deceased committed suicide as she was having amorous relationship with another person. Her dead body was disposed of with the consent of family members of the informant and this fact is apparent from the FIR. The police has not recorded the statement of witnesses from the place of occurrence and only witnesses examined are the family members of the informant. The learned counsel further submits that co-accused parents of the petitioner have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 1.10.2023 passed in Cr. Misc. No. 60828 of 2023. The petitioner has got no criminal history.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Perused the records.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioner and further considering the possibility of false accusation, let the petitioner,



above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Ara, in connection with Charpokhari P.S. Case No. 110 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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