

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68641 of 2023

Arising Out of PS. Case No.-72 Year-2023 Thana- BHARGAMA District- Araria

-
1. Pankaj Mahta @ Pankaj Kumar, Son Of Badri Mehta, Resident Of Village Raghunathpur, Ward No 4, P.S.- Bhargama, District- Araria
 2. Rinku Devi @ Rinku Kumari Wife Of Pankaj Mehta Resident Of Village- Raghunathpur, Ward No 4, P.S.- Bhargama, District- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan, Advocate

For the Opposite Party/s : Mr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Bhargama P.S. Case No. 72 of 2023 registered for the offences punishable under Sections 304(B), 34 of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, the younger sister of the informant was married to co-accused Pappu Mehta four years ago and out of the said wedlock, a boy and a girl was born. It is alleged that husband and in-law of the sister of the informant were torturing her over petty issues. It is alleged that on 17.03.2023, all the accused persons killed the informant's



sister by administering poison.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that these petitioners are brother-in-law and sister-in-law of the deceased respectively and they are living separately in mess and business after partition and the husband, mother-in-law and father-in-law of the deceased are already in judicial custody.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein these two petitioners are said to be the brother-in-law and sister-in-law of the deceased, they are living separately in mess and business after partition and the husband as well as father-in-law and mother-in-law of the deceased are already in judicial custody, there being a general and omnibus kind of allegations against the petitioners, this Court directs that in case of their arrest or surrender within a period of six weeks from today, the petitioners above named be released on bail in connection with Bhargama P.S. Case No. 72 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate-1st Class, Araria, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--

