

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70859 of 2023

Arising Out of PS. Case No.-466 Year-2023 Thana- AMARPUR District- Banka

1. Mrigendra Singh @ Mrigendra Kumar Singh Son Of Late Brahmdeo Singh Resident Of Village- Manghgown, Police Station -Amarpur, District- Banka
2. Bebi Devi @ Anuma Devi @ Anubha Devi Wife Of Mrigendra Singh @ Mrigendra Kumar Singh Resident Of Village- Manjhagown, Police Station -Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with Amarpur P.S. Case No.466 of 2023, lodged on 29.06.2023, under Sections 302/120B/34 of the I.P.C.

3. As per the prosecution case, FIR has been lodged against five named accused persons including the present petitioners. As per the FIR, it transpires that informant has filed this case against his son-in-law as well as his entire family members on the ground that they in connivance with each other



killed his daughter.

4. Learned counsel for the petitioners submits that from the FIR it is clear that the information about the death has been intimated by the family of the petitioners to the informant and they had not fled away from the place of occurrence; rather they were present and when informant reached then in the presence of the informant and after postmortem the dead body was disposed off. Counsel further submits that the marriage was already solemnized seven years back. Counsel further submits that entire allegation made in the FIR is absolutely wrong. It is a case of suicide as from the inquest report it is clear that prima facie it has been found that the suicide has taken place but under wrong impression the informant has filed this case. Counsel further submits that when the informant realized, then he filed a petition before the Chief Judicial Magistrate, which is annexed as Annexure-2, that under wrong impression he has filed the present FIR. Counsel further submits that there is no chance of absconding the petitioner as he is a regular respectful practitioner of Civil Court, Banka. Antecedent of both the petitioners are clean. They are in custody since 28.08.2023.

5. Learned counsel for the State opposes the prayer for bail.



6. In the present facts and circumstances of this case and the submissions made above, let the petitioners, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case No.466/2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his *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 bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) 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.

(Dr. Anshuman, J)

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