

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77445 of 2023**

Arising Out of PS. Case No.-175 Year-2021 Thana- MOTIHARI MUFASIL District- East  
Champanan

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1. RAUSHAN KUMAR @ PHOOL BABU S/O RAMNATH PRASAD KESARI R/O PAKRIDAYAL, P.S- PAKRIDAYAL, DISTT.- EAST CHAMPARAN.
  2. PRAVAWATI DEVI W/O RAMNATH PRASAD KESARI R/O PAKRIDAYAL, P.S- PAKRIDAYAL, DISTT.- EAST CHAMPARAN.
  3. RAMNATH PRASAD KESARI S/O DEO SAH R/O PAKRIDAYAL, P.S- PAKRIDAYAL, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate  
Mrs. Priyanka Singh, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      24-11-2023                      Heard the learned Senior counsel for the petitioner as  
well as learned APP for the State.

2. Earlier anticipatory bail petition of the petitioners  
was rejected by this Court vide order dated 19.05.2022 in Cr.  
Misc. No. 47132 of 2021.

3. Learned Senior counsel for the petitioners has  
submitted that fresh ground for filing the present application is  
that realizing the mistake, the informant has compromised the  
case and to this effect a compromise petition has been filed.  
Annexure-3 to this petition is certified copy of the compromise  
petition. He has further submitted that it is a peculiar case, in  
which, the husband has committed suicide and wife of the



deceased along with her family members has been arrayed as accused for abatement of suicide.

4. On the other hand, the learned APP for the State has opposed the prayer for bail.

5. Considering the above-mentioned facts and circumstances, especially the fact that after realizing the mistake informant had compromised the case, let the petitioners named above in the event of arrest of surrender in the court below within a period of four weeks be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in Connection With Motihari Muffasil P.S. Case No. 175 of 2021 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

**The petitioners are directed to appear in the court below on each and every date, fixed by the trial court. If the petitioners make themselves absent for three consecutive dates, the court below shall be at liberty to pass an appropriate order in accordance with law.**

**(Nawneet Kumar Pandey, J)**

Nirmal/AKV

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