

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8440 of 2024

Arising Out of PS. Case No.-1189 Year-2022 Thana- JAHANABAD District- Jehanabad

Bimal Kumar @ Bimal Yadav SON OF NARSINGH SINGH Resident of
Village- Girwal CHak Daulatpur PS- Bhagwanganj, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Jehanabad (Sikaria O.P.) P.S. Case No. 1189 of 2022 registered under Sections 341, 323, 307, 326, 498(A)/34 of the Indian Penal Code thereafter added section 304(B) of the Indian Penal Code and section 3/4 of the D.P.Act lodged on 17.12.2022 by the informant, Sweeti Kumari.

3. As per the prosecution story, the informant alleged that Sweeti Kumari was married to Guddu Kumar in the year, 2022 but the husband was habitual to the liquor after which he was assaulted. On the fateful day, the allegation is that the husband after closing the door forced her to consume wine and later put her on fire, she was rushed to PMCH which followed the FIR.



4. Learned counsel for the petitioner submits that he is maternal father-in-law living separately has nothing to do with it. The FIR clearly shows that after closing the door wine was consumed followed by the lady having been put on fire by the husband who is in custody as has been observed in the order sheet of the learned Sessions Judge, Jehanabad.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that all the family members were torturing the lady.

6. The kind of heinous that allegedly the husband has done, the same is unpardonable. However, the petitioner is maternal father-in-law, do not have criminal antecedent and as per the submission, the alleged act occurred in a closed room, living separately, this Court is inclined to grant him privilege of anticipatory bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Sikariya O.P.) P.S. Case No. 1189 of 2022, subject to condition as laid



down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner 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 his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner 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.

(Rajiv Roy, J)

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