

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9346 of 2024

Arising Out of PS. Case No.-361 Year-2022 Thana- RAMPUR District- Gaya

1. Khushboo Kumari D/O- Ishwar Chaudhary, W/O- Late Roushan Kumar @ Chhotu Kumar Resident of Village- Maher, P.S.-Tankuppa, Distt.-Gaya
2. Ishwar Chaudhary Son of Haridwar Chaudhary Resident of Village- Maher, P.S.-Tankuppa, Distt.-Gaya
3. Lila Devi w/o Ishwar Chaudhary Resident of Village- Maher, P.S.-Tankuppa, Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2024 1. Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 306 and 120B of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are wife, father-in-law and mother-in-law of the deceased. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that his son, Roshan Kumar, who was married to the Petitioner No. 1, was having matrimonial dispute based on which the Petitioner No. 1 left her matrimonial home and came back to her parental home and despite hectic



efforts made by the deceased, she was not willing to accompany him and thus he committed suicide inside his home.

4. The learned counsel submits that from perusal of the allegation as alleged in the FIR, it would manifest that the Petitioner No. 1 and the deceased were staying separately as they were having matrimonial disputes. It is also submitted that as far as Petitioner No. 2 and 3 are concerned, they being father-in-law and mother-in-law of the deceased have been implicated only with a view to coerce the Petitioner No. 1 into submission. It is next submitted that whenever any dispute arises in between the husband and the wife, and occurrence of the nature as alleged takes place in that event, either side implicates the entire family members, like in the present case, the parents of Petitioner No. 1 also came to be implicated.

5. The learned APP vehemently opposes the anticipatory bail application of the petitioners and rebuts the submission of the learned counsel for the petitioners and submits that even presuming what has been submitted by the learned counsel for the petitioners, is true, but then the deceased is alleged to have committed suicide on account of differences with the petitioner No. 1, when it is the duty of the husband to ensure well-being of his wife and of the wife to ensure well-being of her



husband, but in the present case, it appears that on account of obstinate attitude of Petitioner No. 1, coupled with other disputes, the deceased was not able to withstand the circumstances which he was facing, as such, he had no option but to commit suicide. It is thus submitted that Petitioner No. 1 abetted the deceased to commit suicide.

6. Considering the submission made by the learned counsel for the petitioners, the petitioner No. 2 (Ishwar Chaudhary) and 3 (Lila Devi), in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rampur P.S. Case No. 361 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the court is not inclined to extend the privilege of anticipatory bail to the Petitioner No. 1 (Khushboo Kumari).

(Satyavrat Verma, J)

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