

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20800 of 2024

Arising Out of PS. Case No.-377 Year-2022 Thana- MASAUDHI District- Patna

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Arun Kumar S/o Yogendra Yadav R/o Badroi, P.s. - Masaurhi, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramjiban Prasad

For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-09-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
302, 504, 506, 34 and 498A of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner being husband has been falsely implicated in the
instant case by the informant, who is his father-in-law. It is next
submitted that petitioner is a person with clean antecedent and
was married to the daughter of the informant in the year 2001
and out of the wedlock, two children were born. The learned
counsel next submits that the dead body of the deceased was
found behind Bharat gas godown at Masaurhi.

4. It is next submitted that the marriage in between



petitioner and the deceased subsisted for nearly 21 years and in these 21 years, no case ever came to be instituted either by the deceased or the informant alleging torture but then it is submitted that after the death of the daughter of the informant, the petitioner performed his second marriage, as such, being aggrieved by the said act of the petitioner, the instant FIR came to be instituted. It is also submitted that the death of the victim took place on 8-11-2021 and the FIR came to be instituted on 1-7-2022, i.e., about nearly more than 8 months of the occurrence, which casts an aspersion on the case of the prosecution. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Masaurhi P.S.



Case No. 377 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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