

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36526 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- KOTWA District- East Champaran

1. Chinta Devi Wife Of Harindra Singh
 2. Amrita Devi Wife Of Santosh Singh
 3. Sita Devi Wife Of Pankaj Singh @ Pankaj Kumar Singh
 4. Pankaj Singh @ Pankaj Kumar Singh Son Of Harindra Singh
 5. Santosh Singh @ Santosh Kumar Singh Son Of Harindra Singh
 6. Ajit Singh @ Amit Kumar Son Of Harindra Singh
 7. Harindra Singh @ Harendra Singh Son Of Jagarnath Singh
- All Are Residents Of Village- Kotwa Nat Toli, Ps- Kotwa, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Abhishek Kumar, Advocate
For the Opposite Party/s :	Mr.Abhay Kumar, APP
	Mr. Pravin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-06-2024 1. Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 302, 201 and 34 of the IPC in connection with Kotwa P.S. Case No.22 of 2024.
3. The learned counsel for the petitioners submit that petitioners being mother-in-law, sister-in-law (Debrani), brother-in-law (Debar) and father-in-law respectively have been



implicated in the instant case by the informant based on suspicion.

4. It is also submitted that informant deliberately has concealed the relevant fact that his daughter was staying with her husband at Delhi since November 2023 as has been specifically pleaded at para-8 of the anticipatory bail application.

5. It is next submitted that husband of the petitioners on 20.01.2024 had given an information to the S.H.O., New Ashok Nagar P.S., New Delhi, stating therein that his wife was staying with him and she is missing since 18.01.2020. The learned counsel for the petitioners thus submits that the daughter of the informant was staying with her husband in Delhi and she went missing on 18.01.2024 for which a Sanha was registered by the husband at New Ashok Nagar P.S. It is also submitted that the informant in the case deliberately concealed this fact that his daughter was staying with her husband at Delhi.

6. It is next submitted that the marriage of the daughter of the informant with the son of petitioner no.1 was performed in the year 2013 and out of the wedlock two children were born and no allegation of demand of dowry or torture ever came to be instituted against the petitioners either by the



informant or his daughter.

7. The learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel for the petitioners that the daughter of the informant was staying with her husband at Delhi from where she went missing for which a Sanha has been instituted, at this stage the learned counsel for the informant submits that in the event if anticipatory bail is granted to the petitioners they may abscond, on which the learned counsel for the petitioners submits that petitioners will not abscond rather will cooperate in the investigation.

8. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 10th, Motihari, East Champaran in connection with Kotwa P.S. Case No.22 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



9. 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 petitioners despite giving assurance to this Court are not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

10. Let a copy of this order be sent to the concerned P.S. through the learned Trial court.

11. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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