

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37899 of 2024

Arising Out of PS. Case No.-412 Year-2023 Thana- BIDUPUR District- Vaishali

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1. RUSTAM KUMARI WIFE OF TRIBHUWAN PD. SINGH RESIDENT OF VILLAGE - ENGLISH KHAJWATTA, P.S. - BIDUPUR, DISTRICT - VAISHALI
 2. ARYAN RAJ SON OF TRIBHUWAN PD. SINGH RESIDENT OF VILLAGE - ENGLISH KHAJWATTA, P.S. - BIDUPUR, DISTRICT - VAISHALI
 3. ANITA BHARTI DAUGHTER OF TRIBHUWAN PD. SINGH RESIDENT OF VILLAGE - ENGLISH KHAJWATTA, P.S. - BIDUPUR, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh
For the Opposite Party/s : Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-07-2024 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 302 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.
4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that daughter of the informant



was married to the son of petitioner no.1 in the year 2014 and the instant FIR came to be instituted in year 2023 i.e. nearly after 9 years of marriage of the daughter of the informant with the son of the petitioner no.1.

5. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that the allegations against the petitioners are general and omnibus in nature. It is next submitted that police after threadbare investigation came to a considered conclusion that the petitioners are innocent and thus submitted final form, but the learned Magistrate differing with the police report in a mechanical manner took cognizance. It is further submitted that petitioners are mother-in-law, father-in-law and married sister-in-law (*Nanad*) of the deceased. It is next submitted that when one Investigating Agency, after threadbare investigation, came to a considered conclusion that petitioners are innocent whether it would be prudent for this Court to send the petitioners to jail based on the order of cognizance which has been taken based on the same investigation by which petitioners were found innocent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



7. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Bidupur P.S. Case No. 412 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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