

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46540 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- BAKHTIYARPUR RAIL P.S. District- Patna

- 1. Prem Kumar @ Karu Yadav, S/O Late Raja Ram Singh, R/O Village- Bhuski Ward No. 9, P.S- Khusrupur, Distt.- Patna.
- 2. Akshay Kumar, S/O Late Raja Ram Singh, R/O Village- Bhuski Ward No. 9, P.S- Khusrupur, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 47211 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- BAKHTIYARPUR RAIL P.S. District- Patna

Lalan Singh, S/O Late Raja Ram Singh, R/O Village-Bhuski ward no.9,P.S.- Khusrupur, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 46540 of 2024)
For the Petitioner/s : Mr. Anuj Kumar, Advocate
Mr. Aditya Pandey, Advocate
For the State : Mr. Anand Kishore Choudhary, APP
For the Informant : Mr. Shashi Shawkar Singh, Advocate
(In CRIMINAL MISCELLANEOUS No. 47211 of 2024)
For the Petitioner/s : Mr. Anuj Kumar, Advocate
Mr. Aditya Pandey, Advocate
For the State : Mr. Prem Kumar Jha, APP
For the Informant : Mr. Shashi Shawkar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-08-2024 Since both the applications arise out of GRP

Bakhtiyarpur (Khusrupur) P.S. Case No. 34 of 2024, as such, they

have been taken up together and are being disposed of by this



common order.

2. Heard learned counsel for the petitioners and learned A.P.P. for the State.

3. In the present case, the petitioners are apprehending their arrest in connection with GRP Bakhtiyarpur (Khusrupur) P.S. Case No. 34 of 2024, registered for the alleged offence under Sections 306/34 of the Indian Penal Code.

4. As per prosecution case, the daughter of the informant was married with petitioner Lalan Singh and it is alleged that petitioner Lalan Singh and other petitioners who are the brothers-in-law of the deceased as well as other co-accused persons were involved in abetment of suicide and they instigated the daughter of the informant to commit suicide.

5. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The daughter of the informant committed suicide while staying in her matrimonial home as is apparent from the FIR. There is vague allegation against the petitioners and co-accused that they had been pressurizing the daughter of the informant to leave her job of Home-guard. However, from the FIR, it is also apparent that the daughter of the informant committed suicide throwing herself in front of train at Khusrupur Railway Station. The FIR has been registered after delay of two days for which



there is no explanation. There is no dispute between the deceased and petitioner Lalan Singh and they were married for last 15 years. Learned counsel further submits that there is no material available on record to show that the deceased was instigated by the petitioners for ending her life. But falsely implicating the petitioner husband, the story has been made up that after receiving a call on her mobile phone from her husband, she committed suicide but the same is quite far fetched. The petitioners Prem Kumar and Akshay Kumar are home guards and the brothers-in-law of the daughter of the informant and they live separately from the husband of the deceased and they have no concern with the occurrence as alleged. The petitioners are having clean antecedent.

6. Learned A.P.P. as well as learned counsel for the informant vehemently oppose the prayer for anticipatory bail. Learned counsel for the informant submits that just a day prior to the occurrence, deceased has sent a letter to the Secretary, Department of Home about torture and assault by the petitioners who had been pressurizing her for leaving her job.

7. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the remoteness of allegation and also considering the lack of substantive material to connect the petitioners with the offences as alleged and further considering the clean antecedent of the



petitioners and possibility of false implication, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned court of Railway Judicial Magistrate, Patna in connection with GRP Bhakhtiyarpur (Khusrupur) P.S. Case No. 34 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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