

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48170 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

1. Pintu Chauhan @ Dinesh Kumar S/o Subelal Chauhan @ Suresh Chauhan R/o vill - Tetriya Beldari, P.S. - Mufasil, Distt. - Nawada
2. Nitish Chauhan S/o Subelal Chauhan @ Suresh Chauhan R/o vill - Tetriya Beldari, P.S. - Mufasil, Distt. - Nawada
3. Babli Devi @ Babli Kumari W/o Nitish Chauhan R/o vill - Tetriya Beldari, P.S. - Mufasil, Distt. - Nawada
4. Subelal Chauhan @ Suresh Chauhan S/o Late Litlal Chauhan @ Ritlal Chauhan R/o vill - Tetriya Beldari, P.S. - Mufasil, Distt. - Nawada
5. Lalita Devi @ Leela Devi W/o Rajesh Chauhan R/o vill - Daldlaha, P.S. - Muffasil, Distt. - Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhart Chauhan S/o Late Baleshwar Chauhan R/o vill - Sataua Beldari, P.s. - Giriyak, distt. - Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-08-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Mufassil P.S. Case No. 72 of 2024 instituted under Sections 304(B)/34 of the Indian Penal Code lodged on 04.03.2024 by the informant, Bharat Chauhan.

3. As per the prosecution story, the allegation is that the informant's daughter was married to Chhatish Chauhan and



they got information that she is no more. As they reached the in-laws' house, found the dead body and all the accused persons escaped. Upon query from the villagers, it was informed that she has been poisoned. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that all the petitioners herein are family members inasmuch as the father-in-law (petitioner no.4), mother-in-law (petitioner no.5), brothers-in-law (petitioner nos. 1 and 2) as also sister-in-law (petitioner no.3). He further submits that the husband is in custody, though the same has not been brought in the petition, it is a subsequent act as would reflect from the report submitted by the Nawada Mufassil P.S. on 22.06.2024.

5. Learned APP has gone through the report and accepts that the husband namely Chhatish Chauhan @ Satish Chauhan son of Subelal Chauhan has been taken into custody on 22.06.2024.

6. Taking into account the fact that though a unfortunate death has taken place, the petitioners are family members, as per the submission put forward by the learned counsel for the petitioners, they live separately, the husband is in jail, this Court is inclined to extend them the privilege of anticipatory bail.



7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Mufassil P.S. Case No. 72 of 2024 to the satisfaction of learned ACJM-1st, Nawada, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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