

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47691 of 2024

Arising Out of PS. Case No.-537 Year-2022 Thana- CHAPRA TOWN District- Saran

Vishal Kumar S/O Surendra Prasad R/O Mohalla- Katharibagh, Arya Nagar,
P.S- Town Chapra, Distt.- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 06-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Chapra Town P.S. Case No. 537 of 2022 dated 20.08.2022, instituted for the offence punishable under Sections 304(B)/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant alleged that her daughter Guriya Kumari had solemnized love marriage with petitioner (Vishal Kumar) in the year 2018, which was being opposed by her in-laws and family members. After marriage, the accused persons started demanding Rs. 2 lakhs and a motorcycle and for that they used to torture her daughter in various ways including assault regarding which her daughter had informed her several times. Lastly on 19.08.2022, the



informant came to know that the accused persons had killed her daughter by pressing her chest.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is the husband of the deceased. It is further stated that according to inquest report there was no sign of injury on the body of deceased and there is a specific mention that deceased died due to illness and both the informant and her son had put their signature on the inquest report, which was prepared on 20.08.2022 at 09:05 am. The present FIR has been lodged at 02:20 pm on 20.08.2022. It is further submitted that deceased was a patient of Miliary Tuberculosis. The petitioner often got her treated in Gujarat and thereafter in Chapra. After several months of treatment, the daughter of informant died due to illness. It is further stated that co-accused namely, Vicky Kumar has been granted bail vide order dated 19.03.2024 passed by this Court in Criminal Miscellaneous No. 17612 of 2024. It is further submitted that co-accused namely, Surendra Prasad, Kanti Devi and Priti Kumari have been granted bail *vide* order dated 22.11.2023 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 70802 of 2023. Lastly, it has been submitted



that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Chapra Town P.S. Case No. 537 of 2022, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Saran at Chapra, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

