

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49981 of 2024

Arising Out of PS. Case No.-189 Year-2024 Thana- HILSA District- Nalanda

Sunaina Devi WIFE OF KARU PRASAD @ KARU YADAV @ BRIJAL
KUMAR VILLAGE- CHAINPUR, PS- KHUDAGANJ, DIST- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Prasad, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP
For the Informant : Mr. Satya Prakash Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-08-2024 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends her arrest in connection with Hilsa P.S. Case No. 189 of 2024 registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman.
4. The informant alleges that his son was working as Advocate Clerk at Hilsa Civil Court, further on 17.03.2024, he received an information that his son died and his body was hanging from a fan, accordingly he reached the place of



occurrence and found the dead body of his son and also found a diary in which his son had noted in his writing that he was threatened by Karu, Vikash and petitioner that he would be killed if they do not give Rs. 3 Lakhs for purchasing land, further had also threatened that he would be sent to jail on false allegation of molesting their daughter and the money would be recovered from his family members.

5. Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the same does not inspire confidence, it is next submitted that informant is not an eye witness to the occurrence. It is also submitted that had what is being alleged in the FIR is true, in that event the deceased must have informed his parents and the family members that he is being threatened by the accused persons as they are demanding money for purchasing land and are also threatening him of implicating him in a false case of molestation of their own daughter, but then from perusal of the allegation as alleged in the FIR, it would manifest that the same does not even remotely suggest that the deceased, prior to his death, ever informed his family members about the said threat, rather the allegation gives an impression that deceased had taken money from the accused persons. It is



also submitted that no father and mother would threaten someone to implicate him in a false case of molestation of their own daughter. It is next submitted that police during the course of investigation in supervision found the case true under Sections 306 and 34 of the IPC. It is also submitted that petitioner is a lady and is a housewife and she will not abscond rather will co-operate in the investigation.

6. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioner, but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioner that petitioner is a housewife and from perusal of the allegation as alleged in the FIR, it does not even remotely suggest that prior information was given to the family members of the deceased by the deceased about the occurrence.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her 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. 10,000/- (Rupees Ten Thousand) 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 Hilsa P.S. Case No. 189 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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