

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64996 of 2024

Arising Out of PS. Case No.-549 Year-2021 Thana- GHOSI District- Jehanabad

Kaushlendra Kumar S/o Sagar Ram R/o - Nagma, P.S - Ghoshi, District -
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Ghoshi P.S. Case No. 549 of 2021 dated 25.12.2021 instituted for
the offence punishable under Sections 302/34 of the Indian Penal
Code.

3. The prosecution case, in short, is that the informant
has solemnized the marriage of her daughter with Chandan Kumar
about 8-9 years ago. After that, they were leading a happy conjugal
life and two daughters and one son were born out of the wedlock.
It is further alleged that her son-in-law used to live separately from
his parents and there was a dispute of partition with regard to the
ancestral property in the family. It is further alleged that on
25.12.2021 at about 4 am, the informant got information through



mobile that her daughter Rinku Devi had died due to cold attack. Then she went to village Nagma (daughter's sasural) with her family members and found dead body of her daughter in the field. It is alleged that the father-in-law and mother-in-law of her daughter have killed her by strangulating her and have thrown her dead-body in the field.

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 younger brother of the husband of the deceased. It is apparent from the F.I.R. that there is no whisper of any allegation against the petitioner. Moreover, in paragraph 47, which is supervision report and paragraph 50 of the case diary, the name of the petitioner has come into light during investigation. Learned counsel for the petitioner further submitted that the husband of the petitioner was residing in Bombay working in a factory as labour and the deceased lived in the village with her children. The petitioner was not residing with the deceased or his husband and he had no concern with them. Moreover, there is no allegation against the petitioner in F.I.R. The petitioner is not named in the F.I.R. As per the F.I.R., the main allegation is against the mother-in-law and father-in-law of the petitioner. It is further submitted that mother-in-law of the deceased, namely Lila Devi has been granted bail



vide order dated 07.03.2024 passed by this court in Criminal Miscellaneous No. 81631 of 2023. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory 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 Ghoshi P.S. Case No. 549 of 2021, he will be released on 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 Chief Judicial Magistrate, Jehanabad, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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