

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72000 of 2024

Arising Out of PS. Case No.-596 Year-2024 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Vijay Jha @ Vijay Kumar Jha S/o- Late Nawal Kishore Jha Resident of Village- Rudauli ward No 10, Police Station- Bachhwara, Dist- Begusarai
 2. Geeta Devi Wife of Vijay Jha @ Vijay Kumar Jha Resident of Village- Rudauli ward No 10, Police Station- Bachhwara, Dist- Begusarai
 3. Priyesh Jha @ Priyesh Kumar Son of Vijay Jha @ Vijay Kumar Jha Resident of Village- Rudauli ward No 10, Police Station- Bachhwara, Dist- Begusarai
 4. Nidhi Jha @ Nidhi Devi @ Nidhi Kumari Wife of Priyesh Jha @ Priyesh Kumar Resident of Village- Rudauli ward No 10, Police Station- Bachhwara, Dist- Begusarai
 5. Mamta Devi @ Mamta Kumari Wife of Anand Jha Village- Fulhara Ps- Dudhpura Dist- Samastipur
 6. Anmola Devi @ Anmola Kumari W/o- Prince Samrat @ Priya Darshi Samrat Village- Mau Sherpur Ps- Vidyapati Nagar Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari Wife of Late Prince Raj @ Narayan Jha, D/O- Rupesh Jha Resident of Village- Rudauli ward No 10, Police Station- Bachhwara, Dist- Begusarai, P/A- Rasalpur W.No-13, Ps- Bhagwanpur Dist- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bambahadur Jha, Advocate
	:	Mr.Suryakant Mishra, Advocate
For the Opposite Party/s	:	Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-10-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 596C of 2024 arising out of Bachwara PS case no. 194/2023, disclosing offences punishable under Section 302 and other allied sections of the Indian Penal



Code.

3. The prosecution story, as per the complaint, is that the petitioners along with other co-villager Abhay Kr. Jha have murdered the husband of the complainant.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case with a concocted story. The deceased is the son of petitioners no. 1 and 2, who committed suicide, for which, U.D. Case No. 02 of 2023 (Annexure-2) was lodged. After 25 days of the lodging of the U.D. Case, the wife of the deceased, who is daughter-in-law of petitioners no. 1 and 2 filed the present complaint alleging that petitioners no. 1 and 2 along with others have killed their son. Learned counsel further submits that Police, after investigation, exonerated the petitioner and submitted final form not sending the petitioners for trial, however learned court below, differing with the final form, has taken cognizance under Sections 306, 201, 120B of the Indian Penal Code. He also submits that co-accused Abhay Kr. Jha has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 11.10.2023, passed in Cr. Misc. No. 60598 of 2023.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of



allegation and the fact that petitioners are parents, brother and sister of the deceased, U.D. Case No. 02 of 2023 was filed by petitioner no. 1 i.e. the father of the deceased for the suicide committed by his son and after investigation, Police exonerated the petitioners and submitted final form not sending the petitioners for trial, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, IInd class, Begusarai in connection with Complaint case no. 596C of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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