

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72175 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- KARAI PARSURAI District- Nalanda

1. BASUDEO BIND SON OF LATE GULAB BIND RESIDENT OF VILLAGE - FULLIPAR, P.S. - KARAI PASURAI, DISTRICT - NALANDA
2. MUNMA DEVI WIFE OF BASUDEO BIND RESIDENT OF VILLAGE - FULLIPAR, P.S. - KARAI PASURAI, DISTRICT - NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 15-05-2024 1. Heard learned counsel for the petitioners and Mr.

Chandra Bhushan Prasad learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant being the father-in-law and mother-in-law of the deceased. It is further submitted that the informant alleges that his sister was married to Dineshi Bind son of the petitioners about ten years back and out of the wedlock two children were born. Further, the relationship in between the husband and the wife was cordial



but off late the husband of the deceased got indulged in an extra marital affair on account of which dispute arose in between him and the deceased. Further alleges that on 23.02.2023 the informant came to know that the accused persons including the petitioners committed murder of the deceased and accordingly he reached the place of occurrence but did not find the dead body of the deceased.

4. Learned counsel for the petitioners submits that informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant himself has stated that the relationship in between the husband and wife was cordial and they were married for the last ten years and had two children. It is next submitted that in these ten years neither the informant nor the deceased ever instituted any case alleging torture at the hands of the petitioners. It is also submitted that the husband of the deceased has surrendered on 10.05.2024 and the petitioners will not abscond rather will cooperate in the investigation.

5. Mr. Chandra Bhushan Prasad, learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Karai Parsurai P.S. Case No. 28 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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