

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76954 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- ROHTAS District- Rohtas

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Pritam Singh @ Pritam Kumar Son of Resha Singh Resident of Village -
Samahuta, Police Station - Rohtas, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the State : Mr. Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 13-12-2024 1. Heard Mr. Rajani Kant Singh, learned counsel for the petitioner and Mr. Binod Kumar No.3, learned APP for the State.
2. The petitioner apprehends his arrest in connection with Rohtas P.S. Case No. 154 of 2024 dated 01.05.2024 registered for the offence(s) punishable under Section(s) 304B, 201 and 120B/34 of the Indian Penal Code.
3. The main submissions advanced by the learned counsel for the petitioner are that the petitioner is the husband of the deceased, the allegations levelled in the FIR are totally false, in fact, the deceased herself consumed poison and thereafter, her health condition deteriorated and the petitioner and his family members admitted her to Adri Devi Memorial Hospital, Dehri from where she was referred and then the



deceased was taken to Narain Medical College and Hospital, Jamuhar for better treatment where she was treated and finally she died and in this regard, the statement of the deceased's brother mentioned in the case diary may be perused and Annexure- P/2 is also relevant which shows that during the relevant time, the deceased was suffering from poisoning. It is further submitted that during the medical treatment of the deceased, the informant, father of the deceased, was also informed and after the death of the deceased, the dead body was cremated in the presence of the informant and thereafter, the FIR was lodged after the five days of afterthought but later on, the informant realised his mistake and then he filed a compromise petition (Annexure-P/3) before the trial court. It is further submitted that the in-laws of the deceased have been granted bail by this court vide order dated 18.09.2024 passed in Cr. Misc. No. 61144 of 2024 and the said defences were taken into consideration while granting them the relief of anticipatory bail. It is further submitted that there are two female children which are under the guardianship and custody of the petitioner and if he is sent in judicial custody then there will be no one to look after the petitioner's daughters.

4. On the other hand, learned APP appearing for the



State has opposed the bail prayer of the petitioner and submits that the petitioner who is the husband, is the main accused and the deceased died within seven years of her marriage. However, learned APP accepts that the deceased died of poisoning as per the materials available in the case diary.

5. Considering the facts and circumstances of this case as well as above submissions made by petitioner’s counsel, this court is inclined to grant the relief anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Rohtas P.S. Case No. 154 of 2024 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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