

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77789 of 2023

Arising Out of PS. Case No.-248 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

SHANKAR GIRI Son of Amiri Giri R/o vill - Dhekahan Bazar, Kunjan Tola,
P.S. - Mufassil, Distt. - East Champaran at Motihari

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devashish Giri, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 17-05-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code in connection with Muffasil P.S. Case No.248 of 2023.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is aged about 68 years and came to be implicated in the instant case by the informant being father-in-law of the deceased.

4. It is next submitted that son of the petitioner was married to the daughter of the informant about nine years back and out of the wedlock two children were born. It is further submitted that in between these nine years neither the informant



nor the deceased ever instituted any case alleging that the victim (deceased) was being tortured for non-fulfillment of dowry demand, but then submits that at times there were fights between the deceased and her husband based on which the victim attempted to committed suicide and the husband of the deceased including the petitioner took the victim to J.J. Hospital, Motihari where she was admitted for treatment and two days thereafter she was referred to a higher institution, but during the course of treatment at Rahmania Hospital she died.

5. The learned counsel submits that if the petitioner had any intention of committing an occurrence in connivance with his son then they would never have made any effort to get the victim treated in a hospital where she was treated for two days nor they would have informed the informant about the occurrence, but since they informed the informant about the occurrence who came and later shifted his daughter to Rahmania Hospital where she died during the course of treatment amply demonstrates that petitioner has been implicated in the instant case by the informant based on suspicion, when informant is not an eyewitness to the occurrence. It is also submitted that petitioner is a senior citizen aged about 68 years and has remained a person with clean



antecedent and all of a sudden based on suspicion came to be implicated in the instant case. It is next submitted that husband of the deceased in custody since 23.04.2024.

6. The learned APP opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Muffasil P.S. Case No.248 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

