

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80467 of 2024

Arising Out of PS. Case No.-740 Year-2023 Thana- MADHAURAH District- Saran

Sikandar Kumar Ram @ Sikandar Ram Son of Late Chhedi Ram Village-
Roop Rahimpur, P.S.- Marhowrah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 13-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Marhowrah/Madhora Police Station Case No. 740 of 2023, dated 30.11.2023, disclosing offences under Sections 302/201/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that informant's niece, namely, Nitu Devi, was married with the petitioner, who had illicit relationship with his sister-in-law (Bhabhi) and when the deceased protested, the petitioner and other family members used to abuse and assaulted her, for which, several round of reconciliation proceeding/panchayati was held. On 29.11.2023 in the morning, co-accused Upendra Ram



informed the informant that his niece's is having heart attack, upon which, he reached the matrimonial home of his niece and saw her dead body. Other family members were not present and had left the house. The informant has alleged that petitioner and others have killed his niece by pressing her neck and after cremation of the dead body, the F.I.R. was lodged on 30.11.2023.

4. Learned counsel for the petitioner submits that petitioner is husband of the deceased. He further submits that there is general and omnibus allegation against the petitioner and deceased has died due to heart failure, the informant participated in the cremation of the dead body and after cremation, the present F.I.R. has been lodged. The similarly situated co-accused persons have been granted anticipatory bail by this Court in Cr. Misc. No. 56678 of 2024.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that FIR has been lodged after cremation of the dead body and the similarly situated co-accused persons have been granted anticipatory bail, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his 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 Additional Chief Judicial Magistrate I, Chapra, Saran, in connection with Marhowrah/Madhora Police Station Case No. 740 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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