

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2987 of 2024

Arising Out of PS. Case No.-66 Year-2022 Thana- CHEWARA District- Sheikhpura

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1. ISHWAR CHAUHAN SON OF LATE SHUKKAR @ SHUKKAR CHAUHAN RESIDENT OF VILLAGE - VIMAN TOLA, HARDAYALPUR, P.S- ARIYARI, DISTT.- SHEIKHPURA.
 2. SHANKAR CHAUHAN SON OF LATE SHUKKAR @ SHUKKAR CHAUHAN RESIDENT OF VILLAGE - VIMAN TOLA, HARDAYALPUR, P.S. - ARIYARI, DISTT. - SHEIKHPURA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. KARI DEVI W/O RAGHUNANDAN CHAUHAN R/O VILLAGE- RAJOPUR, P.S- CHEWARA IN THE DISTT.- SHEIKHPURA.

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Sanjeev Kumar, Advocate
For the State : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-03-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 201, 406 and 34 of the Indian Penal Code.

3. As per complaint petition, the complainant has alleged that these petitioners either killed her husband or made dead body of her husband disappear.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the petitioners have been made an accused in this case only on suspicion. Complainant is not an



eye witness of the occurrence. It is next submitted that as a matter of fact, six months prior to the alleged occurrence, these petitioners lodged a missing complaint with the signature of father of the complainant on 08.09.2017 for disappearance of husband of the complainant. He further submits that as a matter of fact, in order to extort money from the petitioners, this false and concocted case has been lodged. It is next submitted that during investigation the complainant and her father-in-law filed an application on 09.10.2023 stating therein that complainant is an illiterate lady and for grant of compensation from Government, co-villager namely *Sriram Chauhan* took her thumb impression on some blank papers and used it to file a false and fabricated case bearing Complaint Case No. 133(C) of 2018, falsely implicating these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named



petitioners be enlarged 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 Sub-Divisional Judicial Magistrate, Sheikhpura, in connection with Chewara P.S. Case No.66 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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