

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6029 of 2024

Arising Out of PS. Case No.-130 Year-2023 Thana- MAINATAND District- West Champaran

1. Prabhu Sah Son of Late Ramanand Sah Resident of Village - Mainatad, P.S. - Mainatad, District - West Champaran
2. Girija Devi Wife of Prabhu Sah Resident of Village - Mainatad, P.S. - Mainatad, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deovind Kumar Singh, Advocate
For the Informant	:	Mr. Gaurav Prakash, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 17-02-2024 1. Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.
2. The accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Mainatad P.S. Case No. 130 of 2023, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.
3. The allegation against above named petitioners is to commit murder of daughter of informant alongwith other co-accused persons/family members, who is none but daughter-in-law.
4. Learned counsel appearing on behalf of the petitioners submitted that both petitioners, who by relation are



in-laws of the deceased daughter of informant, falsely implicated with present case. It is pointed out that the deceased daughter of informant committed suicide out of family frustration, as her husband provided monetary help on certain occasions to widow wife of his elder brother. It is submitted that from the narration of F.I.R., nothing appears on its face, which may suggest that the act of petitioners are so active or direct, to force the daughter of informant to commit suicide without leaving no option and in support of submission, learned counsel relied upon the report of Hon'ble Supreme Court as reported through **2016 SCC onLine SC 1415** in the matter of **Gurcharan Singh Vs. State of Punjab**. While concluding the argument, it is submitted that both petitioners are persons of clean antecedent.

5. Learned APP duly assisted by learned counsel Mr. Gaurav Prakash appearing for the informant, while opposing the prayer of bail submitted that petitioners helped the husband of deceased to solemnize his second marriage.

6. Considering the aforesaid facts and circumstances as petitioner are in-laws, where main thrust of allegation is available against the husband of the daughter of informant, coupled with the fact both above named petitioners are persons



of clean antecedent, accordingly, both above named petitioners, in the event of their arrest or surrender before the Court below, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bettiah/concerned Court, where the case is pending in connection with Mainatad P.S. Case No. 130 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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