

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3207 of 2024

Arising Out of PS. Case No.-254 Year-2023 Thana- SINDHIYA District- Samastipur

1. MUKESH RAM S/O- RAM CHANDRA RAM R/O- VILL.- MILKI, PS- SINGHIYA, DIST.- SAMASTIPUR
2. GITA KUMARI W/O- NITISH RAM R/O- VILL.- MILKI, PS- SINGHIYA, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sheo Kumar Prasad, Adv.
For the Opposite Party/s :	Mr.Ram Bilash Roy Raman, APP.
	Mr. Gaurav Kumar, Adv.
	Ms. Kumari Archana, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-03-2024 Heard learned counsels for the parties.

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

3. Allegedly, after death of one Ashok Ram, husband of the informant's daughter, all the accused persons including the petitioners in furtherance of the common intention are said to have committed murder of the daughter of the informant after assaulting.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and they have committed no



offence. No such occurrence as alleged ever took place. Petitioners are in-laws of the deceased. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. Both the petitioners have been living separately from the deceased since long. There is no role of the petitioners in the alleged occurrence. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as petitioner no.2 is female, let the above named petitioner no.2, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Singhiya P.S. Case No. 254 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, considering the nature of offence, I am not inclined to enlarge petitioner no.1 on anticipatory bail. The



prayer for anticipatory bail of petitioner no.1 is hereby rejected.

8. However, if petitioner no.1 surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order considering the fact that petitioner no.1 has no criminal antecedent.

9. Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

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