

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.504 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- PARBATTa District- Bhagalpur

1. Rajendra Kapri S/O Late Baljit Kapri R/O Vill.- Chhoti Parbatta, P.S.- Ismailpur, Dist.- Bhagalpur.
2. Parwati Devi Wife of Rajendra Kapri R/O Vill.- Chhoti Parbatta, P.S.- Ismailpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 24-04-2025 Heard Mr. Ranjan Kumar Jha, learned counsel for the petitioners and Mr. Nand Kishore Prasad, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Parbatta P.S. Case No. 119 of 2024, F.I.R. dated 14.07.2024 for the offences punishable under Sections 140(3) of the Bharatiya Nayay Sanhita, 2023.

3. According to prosecution case, the informant alleged that her son, namely, Abhinandan Kumar(now, deceased) was residing at her paternal home from past 20 years. On 06.07.2024, at about 10:30 P.M one of her relative, namely, Chotu Khapri came and took away her son and since then never



returned home.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case merely on the ground that petitioner no.1 is the father and petitioner no.2 is the mother of the co-accused, Chotu Khapri and pursuant to the direction of this Court vide order dated 11.02.2205, a report was submitted by SHO, Parbatta Thana which reveals that during investigation, co-accused, Chotu Khapri has confessed his guilt and he has stated that he along with other accused persons have killed the son of the informant and have disposed of the dead body in the river and he did not stated anything about the petitioners. Learned counsel for the petitioner submits that from bare perusal of the aforesaid report it transpires that the petitioner have no role at all in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioner no.2 has clean antecedent and petitioner no.1 carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner no.1 is on bail in the said matter.



6. Considering the aforesaid facts and circumstances, the co-accused, namely, Chotu Khapri who happens to be the son of the petitioners did not stated anything regarding involvement of petitioners in the present occurrence and he confessed that he along with other co-accused persons were involved in the present crime in question, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned A.C.J.M. III, Naugachia, Bhagalpur in connection with Parbatta P.S. Case No. 119 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Suruchi/-

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

