

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9387 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- KUTUMBA District- Aurangabad

1. Md. Kaishar Alam @ Kaushar Ansari @ Md. Kaushar Alam S/O Md. Nesar Ansari @ Nesar Ahmad R/O Village- Naughra, P.S.- Kutumba, District- Aurangabad
2. Md. Sohrab Ansari S/O Md. Nesar Ansari @ Nesar Ahmad R/O Village- Naughra, P.S.- Kutumba, District- Aurangabad
3. Md. Shahnawaz Ansari @ Md. Shanawaz @ Md. Sahanwaz @ Sahanwaz Ansari S/O Md. Nesar Ansari @ Nesar Ahmad R/O Village- Naughra, P.S.- Kutumba, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari
For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 306/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and informant who is father of the deceased alleges that the wife of deceased had divorced him an year ago, on account of which, the deceased became mentally disturbed and used to pressurize the informant to get him married for the second time, on the alleged date of



occurrence, deceased started quarreling with the informant and when his other sons came for his rescue, the deceased started fighting with them and in the night the deceased committed suicide.

4. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that informant is father of the petitioners including the deceased. It is next submitted that deceased was mentally disturbed as his wife had left him, on account of his ill behaviour, as such, he had become mentally disturbed and even used to quarrel with the informant and on the date of occurrence when he was quarreling with the brother of the deceased came to save the informant and it appears that in the night the deceased committed suicide. The learned counsel next submits that from perusal of the allegation, it would also manifest that the F.I.R. does not even remotely suggest that the petitioners were involved or abetted the suicide of the deceased. It is next submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Kutumba P.S. Case No.90/2024, G.R. No.1425 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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