

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17920 of 2025

Arising Out of PS. Case No.-8 Year-2024 Thana- Fakuli District- Muzaffarpur

1. Afsana Khatoon W/O Md. Hasnain R/O - Chakdora, P.O- Keshrawan, P.S-Fakuli, Muzaffarpur-844120
2. Md. Nabib S/O Late Md. Saker R/O - Chakdora, P.O- Keshrawan, P.S-Fakuli, Muzaffarpur-844120

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 23-07-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.

2. The petitioners apprehend their arrest in connection with Fakuli P.S. Case No. 08 of 2024 registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. It is next submitted that petitioner no. 2 is the only son of the deceased and petitioner no. 1 is grand daughter-in-law of the deceased and the informant alleges that on information, he reached the



house of his maternal grandmother on 25.03.2024 and found her dead body lying with ligature mark on her neck, next alleges that on 24.03.2024, the deceased had quarreled with her grand daughter-in-law (petitioner no. 1) which was pacified by the informant, further alleges that the accused persons including the petitioners hatched conspiracy and killed his maternal grandmother, further her grand daughter-in-law was having illicit relationship with others in the village which was being objected by the deceased.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that petitioner no. 2 is the only son of the deceased and is maternal uncle of the informant, but then the informant for reasons best known in the FIR has not disclosed his relationship with the petitioner no. 2. It is further submitted that the husband of the petitioner no. 1, who is grandson of the deceased, has sworn the affidavit which amply demonstrates that had the petitioner no. 1 involved in physical relation with other persons in the village in that event her husband would not have sworn the affidavit, rather it demonstrates that the petitioner no. 1 was having good relations with her husband. It



is also submitted that it absolutely does not stand to reason that as to why the only son of the deceased along with his daughter-in-law would have killed the deceased. It is next submitted that during the course of investigation, it has come that the deceased committed suicide. It is next submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. The learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, opposes the prayer for anticipatory bail of the petitioners and submits that no doubt during the course of investigation, the police though has not submitted charge sheet, but has opined that it appears that the case is of suicide, but then the deceased was an old lady and petitioner no. 2 was her only son, as submitted by the learned counsel appearing on behalf of the petitioners and she was having dispute with her grand daughter-in-law as it has been alleged in the FIR, as such, even if she committed suicide then it were the petitioners who created conditions conducive for the victim to take extreme step of ending her life. It is also submitted that investigation of the case is still continuing.

6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the



privilege of anticipatory bail to the petitioner.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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