

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29052 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- Tetiyabumber District- Munger

Prema Devi wife of Sushil Singh Resident of Village -Dharampur PS
-Shambhuganj, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 03-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Tetiya Bambar P.S. Case No. 80 of 2024 instituted under Sections 137(2) and 140(3) of the Bhartiya Nayay Sanhita, 2023 lodged on 25.10.2024 by the informant, Arvind Singh.

3. As per the prosecution story, the informant alleged that his son Rohit Kumar went out on motorcycle but failed to return. As despite search, he could not be found, raising suspicion against the accused persons, the FIR.

4. As the subsequent story unfolds, during investigation, it came to light that the deceased was having relationship with a lady, Nisha Kumari, the daughter-in-law of the present petitioner and as the family saw them in an inappropriate condition, he was beaten, as he rushed towards



the roof, allegation is that the brother-in-law (Bhaisur) of Nisha Kumari, Manoj Kumar @ Munna was already on the roof, opened fire which hit Rohit Kumar on the head and subsequently died.

5. Learned counsel for the petitioner submits that even going by the confessional statement of Nisha Kumari, the main role has been attributed to Manoj Kumar @ Munna (Bhaisur), she being mother-in-law, a role has been assigned that all of them were assaulting Rohit Kumar, she is an old lady having no criminal antecedent, if granted relief, shall be diligently appearing in trial.

6. Further submission is that Dilip Singh and Sumit Kumar, accused with same omnibus role of assaulting the deceased have since been granted bail in Cr. Misc. No. 24454 of 2025.

7. Learned APP opposes the prayer submitting that all of them ensured killing of Rohit Kumar.

8. Considering the submissions of the parties as also the aforesaid facts, it is unfortunate that a killing took place, the main role has been attributed to Manoj Kumar @ Munna, omnibus of assault on this petitioner, she is a lady having no criminal antecedent, in that background, this Court is inclined



to extend him the privilege of anticipatory bail.

9. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Tetiya Bambar P.S. Case No. 80 of 2024 to the satisfaction of learned Chief Judicial Magistrate, Munger subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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