

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46367 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- PASRAHA District- Khagaria

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1. Braj Kishore Singh Son of Late Sohan Prasad Singh Resident of village - Dumar, P.S.- Pothiya, District - Katihar.
 2. Bebi Devi Wife of Braj Kishore Singh Resident of village - Dumar, P.S.- Pothiya, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 03-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Pasraha P.S. Case no. 15 of 2024 instituted for the offence punishable under Sections 302, 201, 120B/34 of the Indian Penal Code.

3. As per allegation in the FIR, on 29.01.2024 under a conspiracy FIR named accused persons along with others have shot dead the son of the informant and threw his dead body in a field besides the railway track.

4. Learned counsel appearing on behalf of the



petitioners has submitted that petitioners are innocent and have committed no offence. Petitioners have been falsely implicated in this case on the basis of suspicion. In para 5 of the case diary, statement of witness Nirmala Devi (mother of the deceased), in para 6, statement of witness Nandan Kumar (brother-in-law of deceased) and in para 7, statement of witness Putul Devi (sister of deceased) have been in which they have disclosed that Chanda Devi (wife of deceased) under a conspiracy got killed her husband in connivance with accused Aman Kumar and Bittu Yadav. Witnesses have not stated in respect of involvement of the petitioners. In para 19 statement of Dharmendr Kumar (younger brother of deceased) has been recorded in which he has disclosed that his bhabhi was in talking term with several men for which his deceased brother, namely Rajiv Mandal always used to scold her so, there was a estranged relation between them. He further disclosed that his bhabhi, Chanda Devi had also threatened her husband to kill him and on the alleged date of occurrence, with help of accused Aman Kumar and Bittu Yadav she got him killed under a conspiracy.

5. In para 43 and 44 of the case diary statements of independent witnesses, namely, Rahul Kumar and Harilal Mandal were recorded in which they have stated that Chanda



Devi in conspiracy with accused Aman Kumar and Bittu Yadav have shot dead the deceased and they also disclosed that in the alleged crime, present petitioners, who are parents-in-law of the deceased, have no role.

6. Learned APP appearing for the State has opposed the prayer of Bail.

7. Having heard learned counsel for the parties and considering the fact that in entire case diary, except suspicion, nothing has come against the petitioners, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Pasraha P.S. Case no. 15 of 2024, G.R. No. 289 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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