

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46085 of 2025

Arising Out of PS. Case No.-388 Year-2020 Thana- WAJIRGANJ District- Gaya

1. Mantu Singh son of sri Binod Singh Village- Punawan, Ps- Wazirganj, Dist- Gaya
2. Chhotu Singh @ Kush Kumar son of Sri Binod Singh Village- Punawan, Ps- Wazirganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyaveer Jha, Adv

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard Mr. Satyaveer Jha, learned counsel for the
petitioners and Mr. Murli Dhar, learned APP for the State.

2.The instant application for anticipatory bail has been
filed by the petitioners apprehending their arrest in connection
with Wazirganj P.S. Case No. 388/2020 instituted for the offence
under Sections 306/34 of the Indian Penal Code.

3. The case of the prosecution is that Amrita Devi @
Rinki Devi (deceased) was married to petitioner no. 01 in year
2016. It is also alleged that at the time of marriage, sufficient
gifts were provided to her. On 05.08.2020, the younger brother
of the informant received a call from the petitioner no. 01 that
Amrita is not well and she is having problem in breathing. At



the time, he could not talk to her sister. It is further alleged that at 9 A.M. the cousin of the brother of the informant was told that Amrita Devi died during her treatment. Admittedly, petitioner no. 01 is the husband of the deceased and petitioner no. 02 is brother-in-law of the deceased.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. He also submits that from perusal of the FIR, it is clear that there is suspicion that she was being subjected to cruelty due to which she died. From perusal of the order Trial Court, it is clear that in post-mortem opinion regarding the cause of death was reserved till the report of F.S.L and in the F.S.L report, it has been found that Celphos is recovered from the contents sent to F.S.L. report. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, **since petitioner no. 01 is the husband of the deceased, this Court is not inclined to enlarge the petitioner no. 1 namely, Mantu**



Singh on bail, however petitioner no. 02 namely, Chhtou Singh, being the brother-in-law of the deceased, he is allowed the privilege of anticipatory bail. The petitioner no. 2 namely, **Chhtou Singh** is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Wazirganj P.S. Case No. 388/2020, he 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 A.C.J.M.-1 Gaya, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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