

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46480 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- Amhara P.S. (I.I.T.A. Bihta) District- Patna

1. Arti Devi W/O Manoj Rai R/O Vill.- Daulatpur P.S.- IIT Amhara, Dist.- Patna
2. Manoj Rai S/O Suba Lal Rai R/O Vill.- Daulatpur P.S.- IIT Amhara, Dist.- Patna
3. Deep Narayan Kumar @ Dipu S/O Suba Lal Rai R/O Vill.- Daulatpur P.S.- IIT Amhara, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this case, petitioner no. 2, namely, Manoj Rai has been arrested by the police, in that circumstance, learned counsel for the petitioners seeks permission to withdraw this bail application in respect of petitioner no. 2.

3. Permission is accorded.

4. This application is dismissed as withdrawn in respect of petitioner no. 2, namely, Manoj Rai.

5. The instant application for anticipatory bail has been filed by the petitioner no. 1 and petitioner no. 3 apprehending their arrest in connection with Amhara P.S. Case No. 18 of 2025



instituted for the offence under Sections 126(2), 115(2), 117(2), 108 of Bhartiya Nyaya Sanhita.

6. The case of the prosecution is that the grandson of the informant namely Azad committed suicide by hanging and the reason was that his wife Kajal Kumari had gone to the house of her *fufa* (uncle). When on the next day, the deceased went to take her back, it is alleged that the petitioners along with others assaulted him due to which he received injuries. When the informant went for fetching medicine and returned, she found that the petitioners were going to the house of informant and on return, she found the dead body of her grandson hanging and she started raising alarm.

7. 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. Learned counsel for the petitioners has submitted that though in the FIR, there is allegation that the deceased was being assaulted by the petitioners but the postmortem report does not support these allegations and the doctor has not found any injuries on the person of the deceased rather the cause of death is asphyxia due to hanging. Learned trial court has observed that the postmortem report as mentioned in the case diary shows that the cause of death due to asphyxia caused by hanging leading to



cardio respiratory failure. Learned counsel for the petitioners has also submitted that the allegations which are made in the FIR does not constitute the offence of the abetment. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

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

9. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, 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 IIT Amhara P.S. Case No. 18 of 2025, 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 A.C.J.M.-I, Danapur subject to the conditions as laid down under section 482(2) of B.N.S.S.

(Ashok Kumar Pandey, J)

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