

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54707 of 2025

Arising Out of PS. Case No.-717 Year-2025 Thana- AHİYAPUR District- Muzaffarpur

1. Kamal Kishore Gupta @ Kamal Prasad Gupta son of Late Satyanarayan Sah Village -Rambagh Sundarbag, Mai Asthan, Ward No 41, P.s- Mithanpura District -Muzaffarpur
2. Renu Devi Wife of Sri Kamal Kishore Gupta @ Kamal Prasad Gupta Village -Rambagh Sundarbag, Mai Asthan, Ward No 41, P.s- Mithanpura District -Muzaffarpur
3. Jatin Kumar @ Gaurav Kumar Son of Sri Kamal Kishore Gupta @ kamal Prasad Gupta Village -Rambagh Sundarbag, Mai Asthan, Ward No 41, P.s- Mithanpura District -Muzaffarpur
4. Khushboo Kumari Wife of Sagar Kumar Resident of village- Rasulpur Wajid, Ps- Ahiyapur, Dist- Muzaffarpur, At Present Daughter of Sri Kamal Kishore gupta @ Kamal Prasad Gupta Village -Rambagh Sundarbag, Mai Asthan, Ward No 41, P.s- Mithanpura District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Adv. Ms. Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, APP
For the Informant	:	Mr. Manoj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-08-2025 1. Heard learned counsel for the petitioners, Mr. Ajay Thakur, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 103(1) and 3(5) of the BNS, 2023.



3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner nos. 2 and 4 are women and the informant alleges that his brother was married to Khushboo in the year 2019, but the relationship in between them was strained, further on 25.05.2025, a *Panchayati* was to be convened, but on 24.05.2025, petitioners along with Khushboo came to his house and started abusing, on objection an unknown accused who accompanied them slapped him, thereafter Kamal, Renu, Jatin and Khushboo confined his wife in a room, while the unknown accused confined the informant, while 4-5 unknown accused were standing outside the gate, thereafter the accused went inside the room of his mother and assaulted her and wrapped her *Saree* around her neck after disrobing her and hanged her to the ceiling fan, thereafter accused fled, further informant unlocked his wife and saw his mother was hanging.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioner nos. 1, 2 and 3 are father, mother and brother of Khushboo respectively, while petitioner no. 4 i.e. Khushboo, is wife of the brother of the informant. It is next submitted that the informant alleges that



on 25.05.2025, a *Panchayati* was to be convened, but then the accused persons, a day prior i.e. on 24.05.2025, came to his house and committed the occurrence. It is next submitted that if the FIR is viewed minutely, it would manifest that the informant alleges that he was also confined like his wife by the accused persons, as such, the informant is not an eye witness to the occurrence, which occurred in the room of his mother. It is next submitted that it does not appear probable that Khushboo along with her entire family members, a day prior to the *Panchayati* would have come to the house of the informant for committing the occurrence. It is further submitted that during the course of investigation, the CCTV footage was also examined and from the footage which was captured in the CCTV, it appears that the allegations are exaggerated. It is further submitted that even the postmortem report does not record that any external injury was found on the body of the deceased except for strangulation mark on the neck. It is further submitted that it appears highly improbable that the accused persons would have entered the house of the informant and thereafter would have killed the mother of the informant leaving the evidence in form of informant and his wife alive. It is next submitted that petitioners will not



abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Ahiyapur P.S. Case No. 717 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned



police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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