

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59895 of 2025

Arising Out of PS. Case No.-749 Year-2023 Thana- SAHARSA SADAR District- Saharsa

1. Doli Kumari W/o Bhavesh Kumar @ Rakesh Kumar R/o Mohalla/ Village-Belo Chamgarh, P.S.- Murliganj, District- Madhepura, Bihar
2. Bhavesh Kumar @ Rakesh Kumar S/o Pawan Kumar R/o Mohalla/ Village-Belo Chamgarh, P.S.- Murliganj, District- Madhepura, Bihar, presently resident of Mohalla- Gangjala ward no. 32 near the house of Dr.P.K. Mallik, P.S.- Saharsa Sadar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 302, 201, 120B of the Indian Penal Code.

3. Informant suspects that these two petitioners alongwith other co-accused persons committed murder of his son. Informant believes that due to illicit relationship of his son (deceased) with petitioner no. 1, all the accused persons conspired and killed his son.



4. Learned counsel for the petitioners submits that petitioners are husband & wife and have committed no offence. Informant is not eye-witness to the alleged occurrence and has raised only suspicion against accused persons that there was illicit relationship between his son and petitioner no. 1, but as a matter of fact son of the informant committed suicide by hanging, for which, U.D. Case No. 6 of 2023 was registered on 07.07.2023 and after lapse of one month, the present case has been lodged, in which, after investigation, police submitted final form, as '*Mistake of Fact*', however, differing with the same, learned Court below has taken cognizance. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail.

6. However, considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saharsa in connection with Saharsa Sadar P.S. Case No. 749 of 2023, subject to condition as laid down under Section 438(2) of the



Cr.P.C. / Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

