

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69442 of 2024

Arising Out of PS. Case No.-392 Year-2023 Thana- SONEPUR District- Saran

1. Kajal Kumari Daughter of Katari Rai Resident of Village- Parmanandpur, P.S.- Sonapur, District- Saran.
2. Sanjeet Kumar Son of Katari Rai Resident of Village- Parmanandpur, P.S.- Sonapur, District- Saran.
3. Krishna Devi Wife of Katari Rai Resident of Village- Parmanandpur, P.S.- Sonapur, District- Saran.
4. Sunita Kumari Daughter of Katari Rai Resident of Village- Parmanandpur, P.S.- Sonapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the I.P.C. read with Section 3/4 of the D.P. Act.

3. As per the prosecution case, the F.I.R. has been lodged against 7 named accused persons including the present petitioners with allegation that the marriage of the informant's sister has been solemnized with accused Ranjit Kumar Yadav on 23.05.2023 and they all in connivance with each other strangled the neck of his sister and killed her. It is alleged



that after killing her, they left away the house and the dead body was found in the house. It has also been alleged that there are two kids of informant's sister.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the husband of the deceased has already surrendered and father-in-law has been granted regular bail by this Court vide order dated 27.05.2024 passed in Cr. Misc. No. 38485 of 2024. He further submits that petitioner nos. 1 and 4 are unmarried *nanad*, petitioner no. 2 is *dewar* and petitioner no. 3 is mother-in-law of the deceased. He further submits that though charge has been framed and examination of prosecution witnesses have been made against the co-accused after bifurcation of trial but still no process for *kurki* has been initiated.

5. Learned A.P.P. for the State on the other hand opposes the prayer for bail and submits that on previous occasion, case diary has been called for. In different paragraphs of the case diary, I.O. has indicated that petitioners are absconding at least at four places. He further submits that without issuance of *kurki*, the trial may not be bifurcated as per the existing procedure.



6. In the present facts and circumstances of the case and the submissions made above, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No. 392 of 2023, dated 23.05.2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. It is made clear to the Trial Court that if in record, the process of Sections 82 and 83 of Cr.P.C. has been issued, in that case, the anticipatory bail granted to the petitioners by this Court shall not be made effective but, in case, in record, the process of Sections 82 and 83 of Cr.P.C. has not been issued, in that case, the petitioners shall be released on anticipatory bail.

(Dr. Anshuman, J)

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