

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76679 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- DORIGANJ District- Saran

Rabina Kumari W/o- Karan Village- Bhagauta Chhitauli Kala PS- Muffasil District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 77530 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- DORIGANJ District- Saran

Karan Son of Desai Ram R/O House No. 1262/9-A, Jain Avnew Colony Choti Line Jagadhari Yamuna Nagar, Haryana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 76679 of 2024)
For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP
(In CRIMINAL MISCELLANEOUS No. 77530 of 2024)
For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-04-2025 Heard Mr. Dhananjay Kumar Tiwary, learned
counsel for the petitioners and Mr. Brajendra Nath Pandey,
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Doriganj P.S. Case No. 154 of 2024, F.I.R.
dated 22.07.2024 for the offences punishable under Sections



103(1) and 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant's brother is posted as Driver in Doriganj Police Station. Informant got an information about his elder brother died and upon that he along with his relatives reached at Doriganj Police Station where he was shown the dead body of his brother in an ambulance. Informant suspected that Karan Kumar, husband of Rabina Kumari (petitioners) committed murder of his brother by blackmailing him.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. The present F.I.R. is instituted by the brother of the deceased merely on the basis of suspicion and except the suspicion no other cogent material has come during the course of investigation, which suggests the involvement of the petitioners in the present case and in the presence of the police the door was opened and dead body of the deceased was found in the said room and in fact, the deceased has committed suicide and the petitioners have no any connection with the present



occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts that the petitioners are having clean antecedent except the suspicion no other cogent material come during course of investigation which suggests the involvement of the petitioners in the present case, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saran, Chapra in connection with Doriganj P.S. Case No. 154 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court



below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J.)

Jyoti Kumari/-

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