

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85019 of 2024

Arising Out of PS. Case No.-1190 Year-2024 Thana- PHULWARISHARIF District- Patna

1. Vinod Ram @ Vinod Mochi S/o- Late Rambriksh Mochi @ Late Briksh Ram Resident of Village- Adhpa PS- Janipur, Dist- Patna
2. Amarjit Kumar S/o- Vinod Ram @ Vinod Mochi Resident of Village- Adhpa PS- Janipur, Dist- Patna
3. Minta Devi W/o- Vinod Ram @ Vinod Mochi Resident of Village- Adhpa PS- Janipur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munna Kumar, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners submits that during the pendency of the bail application, petitioner No. 2 passed away, due to which the case has become infructuous for the petitioner No. 2. Accordingly, he is now pursuing the bail application only on behalf of petitioner Nos. 1 and 3.

3. The petitioner Nos. 1 & 3 are apprehending arrest in connection with Phulwarisharif (Janipur) P.S. Case No. 1190 of 2024, dated 16.08.2024, lodged under Section 103 (1), 61 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to



as “BNS, 2023”).

4. As per the prosecution, FIR has been lodged against seven named accused persons, including the present petitioners. It has been alleged that the informant’s son had gone to his *sasural*, where his wife had been living for the past few months, and from there, the informant’s *bhatija* received information that the informant’s son had died.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that, while it is true that the petitioners are members of the in-laws’ family of the deceased but they had gone to another village to attend a *Grih Pravesh* ceremony and are completely unaware of how the death occurred. It is also submitted that the criminal antecedents of the petitioners are clean.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the dead body of the deceased has been recovered from the petitioners’ house.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is hereby **rejected**.



8. It is directed to the petitioners to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioners surrender within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioners has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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