

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84908 of 2024

Arising Out of PS. Case No.-545 Year-2024 Thana- AMARPUR District- Banka

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1. Pinki Devi W/O Bibhishan Das @ Bhavishya Harijan Resident Of Village- Koushalpur, P.S.- Amarpur, Dist.- Banka
 2. Bibhishan Das @ Bhavishya Harijan S/O Late Kedar Das @ Late Kedar Harijan Resident Of Village- Koushalpur, P.S.- Amarpur, Dist.- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-01-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Amarpur PS case no. 545 of 2024, disclosing offences punishable under Sections 108, 3(5) of B.N.S. Act, 2023.
3. The prosecution story, as per the First Information Report, is that the informant is living at Panipat for earning his livelihood and his wife along with his children were living at the village. It has further been alleged that the petitioners used to pressurize the informant's wife regarding partition of the properties, due to which, informant's wife consumed pesticide



on 29.07.2024 and died on 30.07.2024, however the fardbeyan was recorded by the police in the hospital at Bhagalpur on 31.07.2024.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case with oblique motive. Learned counsel further submits that due to dispute between husband and wife, the informant's wife consumed poison and committed suicide and she died on 30.07.2024 in Bhagalpur whereas the statement of the informant was recorded on 31.07.2024 and F.I.R. is lodged after much delay i.e. on 16.08.2024. He next submits that partition between the family members had already taken place on 05.11.2013, which would be evident from Panchmana, annexed as Annexure-P/2 to this application.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that properties of the family were already partitioned way back in the year 2013, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Banka in connection with Amarpur PS case no. 545 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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