

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87977 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- AIRPORT District- Patna

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1. Nirbhay Shankar Prasad S/O Late Bhagwat Prasad Resident of Village- Sikandra Belchi, Fathehpur, P.O and P.S-Fathehpur, District- Patna.
 2. Saroj Devi W/O Nirbhay Shankar Prasad Resident of Village-Sikandra Belchi, Fathehpur, P.O and P.S-Fathehpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari D/O Mahesh Prasad R/O Village- Sikandra, P.S- Belchi, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Archana Sinha, Adv.
For the Opposite Party/s	:	Mr. Anand Kishore Choudhary, APP. Mr. Santosh Kumar Singh, Adv. Mr. Ranvir Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-01-2025 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 341, 323, 326, 354, 498A, 504, 34 of the Indian Penal Code.

3. Allegedly, all the F.I.R. named accused persons including the petitioners are said to have tortured upon the informant physically and mentally in association of other family members.

4. It is submitted by learned counsel for the petitioners



that petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners are father-in-law and mother-in-law of the informant, respectively. They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is no specific overt act against the petitioners. It is further submitted that there was very good relation between the informant and her husband. The petitioners' son also made every effort to provide proper education to get government job to the informant, but after getting the government job, she became very cruel towards the petitioners and her husband and lodged Mahila P.S. Case No. 147 of 2020 against them and others. It is further submitted that the husband of the informant is already in judicial custody. Petitioner no.1 has no criminal antecedent, whereas petitioner no.2 has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners and the husband of the informant is already in judicial custody, let the above named petitioners, be released on bail, in the event



of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Hawai Adda P.S. Case No. 49 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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