

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88407 of 2024

Arising Out of PS. Case No.-48 Year-2023 Thana- ANDHRATHARHI District- Madhubani

1. Mithu Kumar Paswan @ Mithu Paswan Son of Sri Lal Paswan Resident of Village - Rajanpura, P.S. - Andhrathari, District - Madhubani
2. Tetri Devi @ Mother of Mithu Paswan Wife of Sri Lal Paswan Resident of Village - Rajanpura, P.S. - Andhrathari, District - Madhubani
3. Anita Devi @ Wife of Jitu Paswan Wife of Jitu Paswan Resident of Village - Rajanpura, P.S. - Andhrathari, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.
For the Opposite Party/s : Mr. Nawal Kishore Pd. App.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 09-05-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Andharatharhi Police Station Case No. 48 of 2023, disclosing offences under Sections 306, 34 of the Indian Penal Code.

3. As per the FIR, on 20.04.2023, the informant came to know that dead body of his brother namely Devendra Paswan (deceased) was lying in his sasural at village Rajanpura and when he inquired about the incident, he found that there was a quarrel between the husband and wife about 2-3 days back.



The wife of the deceased went to her parental home and the informant's brother also followed her. A sum of Rs. 25,000/- was to be paid by petitioner no. 3 to the deceased and when the deceased demanded the money, petitioner no. 2 (mother-in-law) of the deceased started torturing the deceased due to which the deceased jumped from the jackfruit tree.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case with oblique motive. Petitioner no. 1 is brother-in-law of the deceased, petitioner no. 2 is mother-in-law of the deceased and petitioner no. 3 is wife of brother-in-law of the deceased. The deceased has committed suicide by jumping from the jackfruit tree. There is no specific allegation against the petitioner that the petitioners abetted the deceased to commit suicide.

5. On the other hand, learned counsel for the State, referring to the case diary, submits that viscera has not been received however, the daughter of the deceased has in her statement during investigation has said that deceased has jumped from the tree.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that both the parties are closely related,



the petitioners are brother-in-law, mother-in-law of the deceased and there was quarrel between the husband and wife, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jhanjharpur, Madhubani, in connection with Andharatharhi Police Station Case No. 48 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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