

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89987 of 2024**

Arising Out of PS. Case No.-308 Year-2023 Thana- MINAPUR District- Muzaffarpur

Kaushalya Devi @ Koshila Devi Wife of Ram Briksha Paswan Village-  
Chakmohabbat behind Indira Nursing Home, Ward No 8 PS -Ahiyapur  
District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner : Mr. Hari Kishore Thakur, Advocate  
For the State : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      30-01-2025      Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on 20.07.2023 at about 10 AM, co-accused Sonu Kumar came to the house of the informant and took away her son with him and stated that co-accused Santosh Kumar has called him. Thereafter, son of informant did not return and even after search, he couldn't be traced. In the morning, informant got information through newspaper and other sources that one person has been shot dead in village Bhaw Chhapra and when the informant went to S.K.M.C.H., Muzaffarpur, she identified the dead body is of her



son who had sustained fire arm injuries on his head. Informant claims that all the F.I.R. named accused persons, including this petitioner and four to five unknown persons, have committed murder of her son.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation is against co-accused Sonu Kumar, who is alleged to have taken away son of informant from her house and later on his dead body was found. Informant is not an eye witness of the alleged occurrence and only on suspicion, petitioner has falsely been implicated in this case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 J.M. 1<sup>st</sup> Class, Muzaffarpur (East) in connection with Minapur P.S. Case No. 308 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

shashank/-

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