

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65512 of 2024

Arising Out of PS. Case No.-343 Year-2023 Thana- AWTARNAGAR District- Saran

1. Ashok Kumar @ Ashok Rai Son of Shankar Prasad @ Shankar Rai Village- Chhota Jhauan Ps- Awatarnagar Dist- Saran
2. Binod Rai @ Binod Kumar Rai Son of Late Shivnath Prasad Rai @ Shivnath Rai Village- Chhota Jhauan Ps- Awatarnagar Dist- Saran
3. Abhishek Rai @ Abhishek Raj Son of Birendra Ray Village- Chhota Jhauan Ps- Awatarnagar Dist- Saran
4. Sanjeet Kumar Son of Brij Kishor Rai @ Brajkishor Ray Village- Chhota Jhauan Ps- Awatarnagar Dist- Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 03-02-2026 Heard learned counsel for the petitioners and learned

APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Awatarnagar P.S. Case No. 343 of 2023 registered for the offences punishable under Sections 302, 201 & 34 of the Indian Penal Code.

3. As per FIR, informant raised suspicion that he might be implicated with the present false case for the death of daughter of petitioner no. 1 who was alleged to be kidnapped by the grand-son of the informant prior to this occurrence for



the purpose of illicit intercourse/marriage.

4. Learned counsel appearing on behalf of the petitioners submitted that alleged FIR is appearing much like an inforamatory petition *qua* false implication with the present occurrence in the background of previous enmity as the deceased is nowhere related with the informant.

5. It is submitted that to take revenge of earlier case where the grand-son of petitioner no.1 was sent to jail, when the daughter of petitioners died due to Diarrhea after attending marriage party, taking advantage of the situation the present false case was lodged by the informant. It is submitted that informant is not the eye witness of the occurrence. Petitioners claimed clean antecedent.

6. Learned A.P.P. for the State opposes the prayer of anticipatory bail of the petitioners.

7. In view of the aforesaid factual submissions and by taking note of the fact as *prima facie* save and except suspicion nothing incriminating appears against petitioners, who are none but the parents of the deceased, coupled with the fact that admittedly informant has inimical terms with the



petitioners prior to lodging of this case, accordingly, all above-named petitioners, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Saran at Chapra/concerned court in connection with Awatarnagar P.S. Case No. 343 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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