

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28762 of 2015

Arising out of PS.Case No. -153 Year- 2012 Thana -SARAI RANJAN District- SAMASTIPUR

- 1. Ram Sundari Devi @ Sundari Devi, Wife of Dinesh Roy.
- 2. Dinesh Roy, Son of Hardangi Roy.
- 3. Ankit Roy @ Ankit Kumar, Son of Dinesh Ray. All are residents of Village - Armauli, P.S. : - Ghatho (O.P.), District - Samastipur.

.... .. Petitioners

Versus

The State of Bihar.

.... .. Opposite Party

Appearance :

For the Petitioners : Mr. Dilip Kumar Roy, Advocate.
For the Opposite Party : Mr. Gopesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-07-2015 The petitioners are apprehending their arrest in connection with Sarairanjan (Ghatho) P.S. Case No. 153 of 2012 for the offences instituted under Sections 366, 302 and 201/34 of the I.P.C.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that the informant used to work as mason remaining at Kapurthalla Punjab. He married his daughter Parbati with Shatrudhan Rai with Hindu rites and customs. He brought her daughter at his house remaining there for one month. On 03.07.2012, she had gone to perform worship, but she could not return then he received information from his



Samadhi that his daughter Parbati was being kidnapped by Rajesh Rai and solemnized marriage with her. On 17.07.2012 his daughter-in-law Rani informed that Rajesh Rai, Ankit Rai, Dinesh Rai and Sundari Devi committed murder of his daughter Parbati Devi by setting her on fire and had taken away body for concealment. When his son gave information to S.H.O. Ghatho Police Station who informed that a dead body of a married woman in a burnt condition was found on the bank of river Balan which was being sent for postmortem report for Samastipur. Photograph has also been taken away of the deceased. They came and identified the dead body.

It has been submitted on behalf of the petitioners that there is no direct evidence against the petitioners nor there is any substantial evidence to suggest their implication in the present case. It is further submitted that the petitioners have no criminal antecedent.

On behalf of the State it has been submitted that this is a case for committing offence under Section 302 of the I.P.C. and the petitioners are directly involved in committing murder of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. The same

is rejected in Sarairanjan (Ghatho) P.S. Case No. 153 of 2012, pending in the court of the learned C.J.M., Samastipur. Anyhow, if the petitioners surrender before the court below within a period of four weeks the same shall be considered on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)