

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44520 of 2014

Arising Out of PS.Case No. -92 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

- =====
1. Nirekhan Devi Wife of Maheshwar Rai
 2. Ram Kishore Rai @ Kaushal Kishore Rai Son of Maheshwar Rai Both are resident of Village - Koralhiya, P.S. - Runnisaidpur, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar
For the Opposite Party/s : Mr. Bharat Lal (App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

6 03-07-2015 Heard learned counsel for the petitioners as well as learned APP.

At the request of learned counsel for the petitioners, the anticipatory bail petition is dismissed relating to petitioner Ram Kishore Rai @ Kaushal Kishore Rai.

An allegation has been attributed to the effect that when Pramod Rai (deceased) along with his father Gurucharan Rai had gone to the place of Mahendra Rai, husband of petitioner Nirekhan Devi made demand of Rs.12000/-. It has been further disclosed that Maheshwar Rai, Shyam Kishore Rai, Kaushal Kishore Rai, Nirekhan Devi and Amarjeet Rai started quarreling and during the course thereof, snatched away the mobile as well as cash pertaining to Rs.15000/-. Thereafter they have assaulted Pramod Rai with pestle over his head on account thereof he had been shifted to S.K.M.H and as his condition deteriorated, was taken to PMCH.

It is apparent from the case diary that Pramod Rai

succumbed to his injuries at PMCH. It is also apparent from the consistent statement of the witnesses that it is Amarjeet Rai who assaulted with pestle over head of deceased Pramod Rai.

So far as petitioner Nirekhan Devi is concerned, there happens to be absence of specific allegation and that being so, Nirekhan Devi, in the event of her arrest/surrender in the court below within four week from the date of receipt/production of a copy of this order, is directed to 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 the Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S.Case No.92 of 2014, subject to condition as enumerated under Section 438(2) of the Cr.P.C.

(Aditya Kumar Trivedi, J)

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