

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47409 of 2014

Arising Out of PS.Case No. -70 Year- 2012 Thana -PAROO District- MUZAFFARPUR

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1. Chalittar Rai Son of Late Budha Rai
2. Anandi Rai Son of Chalittar Rai Both Resident of Village - Chochahi,
P.S. - Paroo, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Pradip Nr.Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 03-07-2015 Heard the Counsel for the petitioners and the APP for
the State.

The petitioners herein are father and son.
Apprehending their arrest in connection with Paroo P.S. Case No.
70 of 2012 registered under Sections 302/34 Indian Penal Code
they have filed the anticipatory bail application.

The mother of the deceased lodged the case that she
was informed by a co-villager that her widow daughter who was
living in sasural was killed by the petitioners. She went to the
place of occurrence only to find her dead body. In course of
investigation, the mother-in-law and father-in-law of the deceased
claimed eye witness of the occurrence and alleged that these
petitioners along with others had committed the murder of their
widow daughter-in-law. Petitioner no. 2 had established illicit

relationship with the deceased and she was about to lodge a case against him.

Learned counsel for the petitioners submits that the mother-in-law and father-in-law being eye witness to the occurrence did not lodge the case. The mother of the deceased, who is not an eye witness to the occurrence, has lodged the present case. Some other independent witnesses have supported the allegation only in respect of petitioner no. 2.

Counsel for the State, on going through the case diary, states that these two witnesses have deposed as eye witness to the occurrence implicating the petitioner and his son. Other witnesses are not eye witnesses but have raised apprehension against all the accused persons including the petitioners.

Considering the facts and circumstances of the case, in my view, the petitioners do not deserve privilege of anticipatory bail. Prayer is rejected

In case the petitioners surrender and pray for bail, the Court below shall consider their case on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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