

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8297 of 2016**

Arising Out of PS.Case No. -72 Year- 2015 Thana -PANAPUR District- SARAN

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1. Radha Kishun Rai @ Radha Rai Son of Late Fakira Rai  
2. Sudish Rai Son of Late Fakira Rai  
3. Birendra Rai Son of Late Fakira Rai  
All residents of Village - Dighwa (Mohar Rai Ke Tola), P.S. - Baikunthpur,  
District - Gopalganj.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Anish Chandra, A.P.P.

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

3      20-06-2016

Heard both sides.

The petitioners, namely, Radha Kishun Rai @ Radha Rai, Sudish Rai and Birendra Rai, apprehend their arrest in Panapur P.S. Case No. 72/15 registered under Sections 302, 201, 34 of the Indian Penal Code.

The informant, brother of the deceased Lal Bahadur Rai, alleged that the daughter-in-law of Lal Bahadur Rai committed suicide by hanging herself in which Lal Bahadur Rai and six others were made accused by the father of the deceased. It is submitted Birendra Rai (petitioner no. 3) and his brothers including petitioners no. 1 and 2 are alleged to have threatened the informant to take revenge of the killing of the deceased daughter-in-law else the case be compromised after payment of rupees five

lacs. It is submitted that there is no eye witness of the occurrence. The dead body of Lal Bahadur Rai was found in a field. Save and except suspicion, the police have not collected any material against the petitioners. As per post mortem report, the injuries sustained by Lal Bahadur Rai were not sufficient for causing his death. It is further submitted that the present case has been lodged only to put pressure on the petitioners to compromise the case of the death of his daughter who happened to be the daughter-in-law of the deceased.

Learned A.P.P., however, opposed the prayer for anticipatory bail. He fairly submitted that four witnesses have stated in their statements before the police but they are not eye-witness of the occurrence. They have simply stated that the petitioners were threatening the deceased and his family members. It appears that there is only suspicion.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Saran at Chapra in Panapur

P.S. Case No. 72/15, subject to the conditions as laid down under  
Section 438(2) of the Code of Criminal Procedure.

Dilip/-

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**(Prabhat Kumar Jha, J)**