

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49210 of 2015

Arising Out of PS.Case No. -92 Year- 2014 Thana -AMNAUR District- SARAN

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1. Sahendra Rai Son of Suresh Rai
 2. Mahendra Rai Son of Suresh Rai
 3. Manoj Rai Son of Suresh Rai
 4. Hardan Rai Son of Suresh Rai
 5. Suresh Rai Son of Gopi Rai
 6. Shanti Devi Wife of Suresh Rai
 7. Sumitra Devi W/o Mahendra Rai
 8. Dhananjay Rai @ Upendra Kumar Son of Suresh Rai
 9. Manjay Rai Son of Suresh Rai
 10. Kamaldeo Rai Son of Suresh Rai
 11. Saroj Rai Son of Suresh Rai

All are resident of village - Ganaura Dabrapar, P.S. Amnour, District - Saran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Madhaw Prasad Yadaw, Advocate

For the Opposite Party/s : Mr. Dr.M.K.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Amnour P.S. Case no. 92 of 2014 for the offences instituted under Sections 304(B)/201/34 of the Indian Penal Code.

The petitioners seek permission to withdraw the application on behalf of petitioners no. 8 and 9 to seek their remedy before the Juvenile Board as the said petitioners are juvenilia.

The application in respect to petitioners no. 8 and 9 is dismissed as withdrawn.

Allegation against the petitioners is that due to non-fulfilment of demand of dowry they tortured and killed the daughter of the informant, they also disposed of the dead body of the deceased to conceal the evidence.

It has been submitted on behalf of the petitioners that they have got no criminal antecedent. Petitioner no. 1 is the husband of the deceased, petitioner no. 2 is Bhaibur of the deceased, petitioners nos. 3 and 4 are Dewars of the deceased, petitioner no. 5 is the father-in-law of the deceased, petitioner no. 6 is the mother-in-law of the deceased, petitioner no. 7 is the Gotni of the deceased and petitioners nos. 10 and 11 are Dewars of the deceased who is said to have died due to illness. It has been submitted that the petitioners are separate in mess and property from the husband of the deceased, i.e., the petitioner no. 1.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R. and petitioner No. 1 is the

husband of deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to petitioner no. 1 Sahendra Rai, the same is rejected.

As far as the petitioner Nos. 2, 3, 4, 5, 6, 7, 10 and 11 are concerned, they are being granted anticipatory bail.

Let the petitioners Nos. 2, 3, 4, 5, 6, 7, 10 and 11 above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Amnour P.S. Case no. 92 of 2014 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 Judicial Magistrate, 1st Class, Saran at Chapra , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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