

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28029 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -VIDYAPATINAGAR District- SAMASTIPUR

1. Santosh Rai.
2. Chandeshwar Rai.
3. Ashok Rai; All 1-3 S/o Kameshwar Rai; Resident of Village Gopalpur Lodiya; P.S. Vidhapatinagar; District Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party : Mr. Mujtabaul Haque, APP.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-09-2016 Learned counsel for the petitioners submits that petitioner no. 3 Ashok Rai died during the pendency of this anticipatory bail. Accordingly, anticipatory bail on behalf of petitioner no. 3 Ashok Rai is dismissed as has become infructuous.

Heard both sides.

The petitioners apprehend their arrest in Vidyapatnagar P.S. Case No. 18 of 2016 registered for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

The informant alleged that her daughter was married to Fekan Rai, son of Kameshwar Rai, Village Gopalpur Lodiya, P.S. Vidyapatnagar, District Samastipur and her daughter gave birth to a female child. The informant alleged that the husband of her daughter and other family members including the petitioners who are brothers-

in-law of the daughter of the informant started demanding motorcycle and they also assaulted her. The informant got information that her daughter was killed and her dead body was disposed of.

Learned counsel for the petitioners submits that the petitioners are brothers-in-law of the deceased and they have no manner of concern with the family of the deceased and her husband Fekan Rai. The deceased was suffering from abdominal pain and she was under treatment of a doctor who advised for ultrasound of the abdomen. There was tenderness and the deceased was suffering from appendicitis.

Considering the facts aforesaid and the fact that the petitioners are brothers-in-law of the deceased and no specific allegation is made against them, the petitioners above named, in the event of their arrest or surrender before the 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 Sri V.K. Singh, the Judicial Magistrate, Dalsingsarai, Samastipur in Vidyapatinagar P.S. Case No. 18 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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