

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50516 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -BELA District- SITAMARHI

1. Sanjay Rai
2. Vijay Rai
Both are sons of Yogendra Rai Resident of village - Manithar, Police
Station Bela, District - Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. Md. Ataur Rahman (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 04-01-2016 Heard both sides.

The petitioners, namely, Sanjay Rai and Vijay Rai, apprehend their arrest in a case under Sections 302, 201/34 of the Indian Penal Code.

The informant, a Chowkidar, alleged that the victim had left her house but she returned after a frantic search and thereafter her brother, father and other family members killed her and cremated her dead body. It is submitted that the petitioners are brothers of the deceased. There is no material to show that the petitioners have killed their own sister. The victim was suffering from jaundice. A public petition is also filed. The victim made her statement under Section 164 Cr.P.C. in the case of her kidnapping that she herself left her house, but on the face of it, it appears that

it is a case of honour killing. The investigating officer, instead of collecting evidence, took statement of some of the witnesses who said that the victim got burn injuries and died.

Considering the nature of allegation made against the petitioners, I am not inclined to enlarge the petitioners on anticipatory bail in Bela P.S. Case No. 44 of 2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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