

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38133 of 2016

Arising Out of PS.Case No. -389 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Umesh Rai S/o Baidhnath Rai.
2. Mina Devi W/o Umesh Rai
Resident of Village - Santpur, P.S. Muffasil Motihari, District- East
Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 14-09-2016 Heard Sri Ajay Kumar Singh, learned counsel for
petitioners and learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in
Muffasil (Motihari) P.S. Case No. 389 of 2015 registered for the
offence under Sections 304(B), 120(B)/201 of the Indian Penal
Code, have prayed for grant of anticipatory bail.

It was submitted by learned counsel for petitioners
that petitioner no. 1 is the husband of petitioner no. 2 and
petitioner no. 1 is younger brother of the husband of the deceased,
i.e. daughter of the informant. By way of referring to F.I.R., it was
submitted by learned counsel for petitioners that the present F.I.R.
has been lodged on the basis of complaint petition. In complaint

petition, which was filed on 29-10-2015, it was alleged that the daughter of the informant was done to death on 12-10-2015. In complaint petition itself, it has been indicated that marriage was solemnized in the year 1999, even then, the present case has been lodged under Section 304(B) & other allied sections of the I.P.C. He submits that in this case, husband of the deceased is already on bail.

In view of facts and circumstances, particularly the fact that marriage was solemnized in the year 1999 itself and the fact that petitioner no. 1 is younger brother of the husband of the deceased and petitioner no. 2 is wife of petitioner no. 1, in the event of arrest or surrender within a period of six weeks from today, let both petitioners namely Umesh Rai and Mina Devi be enlarged on bail on furnishing bail-bonds of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil (Motihari) P.S. Case No. 389 of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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