

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31401 of 2016

Arising Out of PS.Case No. -705 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

- =====
1. Mahendra Rai Son of Yugeshwar Rai
 2. Jitendra Rai Son of Yugeshwar Rai
 3. Madan Rai @ Madan Kumar Son of Yugeshwar Rai
 4. Yugeshwar Rai Son of Late Ram Chandra Rai
 5. Indu Devi @ Ranju Devi Wife of Mahendra Rai
 6. Rekha Devi @ Sundar Devi Wife of Jitendra Rai All residents of village
- Minapur Kharadi Tola, P.S. Hajipur Town, District - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Choudhary

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 15-11-2016 Heard the counsel for the petitioners and Mr. M. Dayal,

APP for the State.

The petitioners are praying for grant of anticipatory bail in
Hajipur Town P.S. Case No. 705 of 2015 registered under
Sections 304(B), 201/34 of the Indian Penal Code.

The informant is uncle of the victim. It is alleged that
within five years of her marriage, she was done to death in the
mysterious circumstances while she was at the sasural inasmuch
as an attempt was made to carry her dead body in a gunny bag on
the cycle.

The contention of the petitioner is that they are family

members. The allegations are general and omnibus. The husband has already surrendered and is in jail custody.

Learned APP opposed the prayer and submits that incident occurred within five years of her marriage which was indisputably unnatural. The petitioners are presumed to be guilty.

Considering the submissions of the parties and looking to the allegations and other materials available on record, I am not persuaded to extend him the privilege of anticipatory bail. The prayer is rejected.

The petitioners may surrender and seek bail.

If he does so, the same shall be considered and disposed of on its own merit by the Trial Court unprejudiced by the present order.

(Kishore Kumar Mandal, J)

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