

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51499 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -DERANI District- SARAN

=====

1. Harendra Rai,
2. Shyam Babu Rai
3. Birbal Rai

All are sons of Paras Rai, resident of Village- Nawada, P.S.- Derani,
District- Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Yogendra Prasad, Advocate

For the Opposite Party : Mr. Sri Tapeswar Sharma (APP)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioners as
well as learned counsel for the State.

In this application for anticipatory bail, the
petitioners apprehend their arrest for the offences punishable
under Sections 304(B), 201/34 of the Indian Penal Code.

Allegedly, the sister of the informant was
married to Prakash Rai in the year 2012. Prakash Rai and his
family members were torturing his sister due to non-
fulfilment of demand of motorcycle and thereafter, petitioners
and others killed his sister and they were taking his sister for
cremation but the dead body was found and the accused



persons fled away.

Submission is of false implication and that the petitioners are brothers-in-law of the deceased, the marriage was solemnized four years ago, the deceased has never made any complaint of demand of dowry during her lifetime after her marriage, the petitioners had no manner of concern with the deceased and his family and infact the husband and wife were living separately from the petitioners.

The learned A.P.P. opposes the prayer for bail.

It appears that the petitioners are brothers-in-law of the deceased. No specific allegation of demand of dowry and torture is made against them. The post-mortem shows no apparent and visible cause of death. *Viscera* is preserved.

In the facts and circumstances stated above, petitioners Harendra Rai, Shyam Babu Rai and Birbal Rai, in case of their arrest or surrender before the Court below within four weeks from the date of receipt/ production of a copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like



amount each to the satisfaction of Chief Judicial Magistrate,
Saran at Chapra in Derani P.S. case no. 44 of 2016 subject to
the conditions as laid down in Section 438(2) of the Code of
Criminal Procedure.

(Jitendra Mohan Sharma, J.)

rinkee/-

U		T	
---	--	---	--

