

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49067 of 2017

Arising Out of PS.Case No. -161 Year- 2017 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Sharwan Rai, Son of Binod Rai,
2. Binod Rai @ Binod Ra, Son of Late Saheb Rai,
3. Lilawati Devi, Wife of Binod Rai,
4. Haridwar Rai, Son of Binod Rai,
5. Rubi Devi, Wife of Haridwar Rai, All are resident of Vill- Mujiya, P.S.-
Kudra, District- Kaimur. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

4 13-11-2017

Heard both sides.

The petitioners apprehend their arrest in Kudra P.S.
case No. 161 of 2017 under Section 304(B)/34 of the Indian Penal
Code.

Petitioner No.1, Sharwan Rai, during the pendency
of this petition, had been arrested and his anticipatory bail petition
was dismissed as has become infructuous vide order dated
03.11.2017.

The learned counsel for the petitioners submits that
the deceased was married with Sharwan Rai in the year 2013. The
deceased accidentally got fire and died. An U. D. case being
Kudra P.S. case No. 06 of 2017 was registered. The petitioners are
father-in-law, mother-in-law, brother-in-law and sister-in-law of
the deceased. There is no specific allegation against the
petitioners. The petitioners have no manner of concern with the



family affairs of the deceased and her husband. The husband of the deceased is in jail.

The learned A.P.P. however opposed the prayer for anticipatory bail.

It appears from FIR and case diary that marriage was solemnized four years ago and for the death of deceased an U.D. case was also registered and petitioners are in-laws of the deceased.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners No.2 Binod Rai @ Binod Ra, 3. Lilawati Devi, 4. Haridwar Rai and 5. Rubi Devi, in the event of their arrest or surrender before the learned 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) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Kaimur, Bhabhua in connection with Kudra P.S. case No. 161 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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