

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51962 of 2017

Arising Out of PS.Case No. -376 Year- 2016 Thana -MEERGANJ District- GOPALGANJ

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1. Ajit Rai @ Putul @ Ajit Kumar Rai, S/o Udai Bhan Rai, R/o Village- Industrial Estate Jasogoda, P.S. and District- Jasogoda.
2. Sheeppi Devi @ Kumari Sheeppi Singh D/o Omprakash Singh, R/o Village- Jigana Jagarnath, P.S.- Mirganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 27-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Mirganj P.S. Case No. 376 of 2016 instituted for the offence under Sections-302, 201/34 of the Indian Penal Code.

It has been submitted that mere suspicion has been raised against these petitioners. The petitioner No. 2 is wife of the deceased and petitioner No. 1 is her brother in law.

There is allegation in the written report that petitioner No. 2 in association with her sister and her brother in law (petitioner No. 1) used to call the deceased to Sasural and they have taken all her ornaments, Motorcycle etc. and they called the deceased from Delhi and all family members along with others have killed him and have thrown away the dead body near the railway line.

Counsel for the petitioners has pointed out towards Suicide note which has been recovered from the pocket of the deceased, which finds mention in paragrah-16 of the case diary, which shows that he



has committed suicide. The police has mentioned in inquest report the cause of death due to injury received by running train. The seizure cum-production list is enclosed with the FIR wherein it has been mentioned that suicide note has been recovered from the pocket of the deceased.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Mirganj P.S. Case No. 376 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Gopalganj subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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