

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48390 of 2016

Arising Out of PS.Case No. -58 Year- 2014 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Binod Ram Son of late Chandradeo Ram
 2. Vidhamati Devi @ Vidhavati Devi @ Vidhamanti Devi W/o Pramod Ram
 3. Rajkumari Devi W/o Binod Ram
 4. Dukhani Devi W/o late Chandradeo Ram All Resident of Village-Kachurbadi, P.S. Harpur, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Ms. Neelam Kumari, Advocate
For the State : Mr. Madhura Nand Jha, APP
For the Informant : Mr. Abhishek Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 30-01-2017 Heard the learned counsel for the petitioners, the learned A.P.P. for the State as also the learned counsel for the Informant.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Adapur P.S. Case No. 58 of 2014 for the offences punishable under sections 302, 201 and 341 of the I.P.C.

Jai Prakash Ram, the son of the informant, was married to Ranju Devi, the daughter of Late Chandradeo Ram, and after marriage Ranju Devi used to flee away from her in-laws



house and Jai Prakash Ram used to go to call her. On 03.05.2014 also Jai Prakash Ram went to Kachurbadi to bring his wife Ranju Devi but petitioner no.1, his brother Pramod Ram and other petitioners closed Jai Prakash Ram in a room and assaulted him. The informant went there and then he was told to bring the cost of the marriage and then to release Jai Prakash Ram and when on 27.05.2014 the informant went there then it was told that Jai Prakash Ram had fled away and the family members started abusing the informant, later on dead body of Jai Prakash Ram was recovered from village- Kachurbadi and the cycle of Jai Prakash Ram was recovered from the house of the petitioners.

Submission is of false implication and that the petitioners are brother-in-law, wife of brother-in-law and mother-in-law of the deceased, petitioner no.4 is old widow aged about 75 years, there is no direct or indirect allegation against them and only on suspicion they have been made accused in this case, the informant and other family members used to torture Jai Prakash Ram and co-accused Pramod Ram has already been allowed regular bail by this Court and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the



petitioners by submitting that during investigation the allegation finds support and further the cycle of the deceased was recovered from the house of the petitioners and the dead body was also recovered near canal of village of the petitioners.

In the facts and circumstances as stated above, considering the allegations attributed against the petitioners I am not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of S.D.J.M. Raxaul at Motihari.

However, in case and if so advised the petitioners surrender and seek regular bail then their prayer for regular bail shall be considered on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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