

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18932 of 2017

Arising Out of PS.Case No. -621 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Kailash Rai @ Joka Rai, S/o Late Fakir Chandra Rai, R/o Vill Jolghawa,
P.S. Turkaulia, Dist. E. Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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

3 30-06-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Turkaulia P.S. Case No. 621 of 2016 for the offences punishable under sections 304 (B) and 120 (B) of the I.P.C.

Nidhi Devi, the daughter of the informant, was married to Jai Prakash Rai, the son of the petitioner, on 24.04.2016 and after the marriage the in-laws started pressurizing her to fulfill the demand of dowry by way of motorcycle and gold chain and also cash of Rs. 2,00,000/- to do the business and due to non fulfillment she was killed by the husband and other in-laws including the petitioner.

Submission is of false implication and that the



petitioner is the old father-in-law living separately since long from the deceased and her husband, there is no specific allegation against the petitioner, the allegations are omnibus and general in nature, during investigation the witnesses, namely, Jamuna Rai, Prabhu Rai and Dinanath Rai, vide paragraphs- 68, 69 and 70 of the case diary, have stated that the deceased had committed suicide, earlier also she had tried to commit suicide.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner

In the facts and circumstances as stated above, considering that there is no specific allegation against the petitioner, the allegations are general and omnibus in nature, the independent witnesses vide paragraphs- 68, 69 and 70 of the case diary have stated regarding innocence of the petitioner and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a 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 to the satisfaction of. C.J.M. Motihari, District- East Champaran in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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