

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5902 of 2017

Arising Out of PS.Case No. -63 Year- 2014 Thana -DORIGANJ District- SARAN

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Rubi Devi, wife of Umesh Rai, resident of Village - Manpur Jahangir, P.S. -
Doriganj, District - Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Prasad

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

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 27-03-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Doriganj P.S. Case No. 63 of 2014, registered under Sections
307, 302 and 326/34 the Indian Penal Code.

The accusation is that Vakil Rai along with his two
sons, Rakesh Rai and Pappu Rai came at the door of the
informant, Shivaji Rai, and asked to give the share in the wheat to
his son-in-law, Umesh Rai, husband of the petitioner, on which,
informant made protest saying that his two sons used to bear the
expenditure and accordingly that he could not give the share in the
wheat. Thereafter, Vakil Rai, handed over knife to his two sons,
Rakesh and Pappu Rai and son-in-law, Umesh Rai. Thereafter, on
the order of Vakil Rai, Umesh Rai, husband of petitioner, gave



knife blow to his brother Rakesh Rai, son of informant, whereas Rakesh Rai and Pappu Rai gave knife blow to Manoj Rai, another son of informant. While Rakesh Rai, son of informant, rushed to the hospital for treatment but he died.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the allegation has been made about supplying the knife to Umesh Rai, husband of the petitioner, and also to Rakesh and Pappu Rai by Vakil Rai but with ulterior motive informant in his re-statement has stated that this petitioner handed over the knife to her husband Umesh Rai.

Having regard to the facts and circumstances of the case, let the above named petitioner being lady be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra, in connection with Doriganj P.S. Case No. 63 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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