

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33019 of 2018

Arising Out of PS.Case No. -47 Year- 2018 Thana -MAHARAJGANJ District- SIWAN

=====

1. RAMASHRAY PRASAD @ RAMASHRAY SAH, S/o Late Garang Prasad,
2. Lal Babu Prasad @ Lal Babu Saw S/o Ramashray Prasad, All are R/o Vill.- Balia Pokhar, P.S.- Maharajganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Maharajganj P.S.Case No.47 of 2018 registered for offences punishable under Sections 302, 304(B), 201/34 of the Indian Penal Code.

Allegation against the petitioners is of causing death of the deceased who happens to be the daughter-in-law of the petitioner no.1 and the petitioner nos.2 and 3 are the *Bhaisur* and *Dewar* of the deceased. It further appears from the FIR that that she was burnt alive and her dead body was disposed of.

Submission of the learned counsel for the petitioner is that the petitioner no.1 is 70 years old and other persons are *Bhaisur*



and *Dewar* and no specific allegation has been attributed against them.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that there is allegation against them that they have burnt alive to the deceased..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner nos. 2 (Lal Babu Prasad @ Lal Babu Saw) and 3 (Manoj Prasad @ Bhulan @ Jhoolan) rather let the petitioner nos.2 and 3 surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

So far the petitioner no.1 (Ramashray Prasad @ Ramashray Sah) is concerned, let the petitioner no.1 in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Siwan in connection with Maharajganj P.S.Case no.47 of 2018 subject to condition as laid down under Section 438 (2) of Tthe Code of Criminal Procedure.



With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

