

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61586 of 2018

Arising Out of PS. Case No.-144 Year-2018 Thana- MANER District- Patna

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1. Ramakant Rai @ Shree Kant Rai, Son of Sri Rai
 2. Asha Devi @ Aasha Devi, Wife of Sri Rai.
 3. Sugapati Devi @ Sugga Devi, Wife of Vijay Rai,
- All are resident of Village Hulasi Tola Rampur, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2018 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners, being cousin father-in-law, mother-in-law and cousin sister-in-law (gotani) of the deceased are apprehending arrest in a case registered for the offences punishable under Sections 201/304B/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 08.04.2018 submitted by Devraj Rai to the Station House Officer, Maner Police Station to the effect that the daughter of the informant, Sunita Devi, was married with Sunil Kumar five years prior to lodging of the case. A female child



was born out of the wedlock. But after few days of the marriage, the torture was inflicted upon the daughter of the informant for non-fulfillment of further dowry demand. On 07.04.2018, at 9.00 P.M., the informant received information that the accused persons, including the petitioner have killed the daughter of the informant and concealed the dead body. After having received such information, the informant reached to the in-laws house of his daughter where he found that all the in-laws family members of his daughter have escaped from the house and the house was found locked.

It is submitted by learned counsel for the petitioners that the petitioner nos. 1 and 3 are cousin uncle and cousin sister-in-law of the husband of the daughter of the informant and they reside separately and are not close to the family members. Moreover, the thrust of accusation is against the husband of the daughter of the informant. It is further submitted that one of the co-accused has been granted regular bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 51976/2018. It is further submitted that subsequently, the informant has retracted from the initial version and has filed a petition before the learned Court below, as contained in Annexure-2. A statement has been made in paragraph no.3 of the petition that the



petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR.

Considering the genesis of the occurrence, petitioner nos. 1 and 3 are not being close family members of the husband of the informant's daughter and residing separately, petitioner no.3 being a lady, coupled with retracted version of the informant, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Danapur, in connection with Maner P.S. Case No.144 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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