

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41660 of 2017

Arising Out of PS.Case No. -161 Year- 2015 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

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SURENDRA RAI @ SHAILENDRA RAI @ SHAIRENDRA KUMAR
S/o Satya Narayan Rai R/o Village- Faqrabad, P.S. - Sonpur, District-
Saran(Chapra).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Akbar Ali

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

4 11-01-2018 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 Rajapakar (Baranti O.P.) P.S. Case No. 161 of 2015 for the offence punishable under section 302/34 of the I.P.C.

Allegedly, the petitioner came to Patna with his two wives, namely, Sarita Devi and Neelam Devi and co-accused Dhanwanti Devi, this petitioner and Sarita Devi committed murder of Neelam Devi, the second wife of the informant.

Submission is of false implication and that there is no eye witness of the occurrence, only on suspicion the petitioner has been implicated in this case, he is the brother of Dhanwanti Devi, Dhanbanti Devi has already been allowed pre-arrest bail vide Cr.



Misc. No. 34343 of 2016 by order dated 20.04.2017 by another co-ordinate Bench of this Court, in the case diary also besides suspicion nothing cogent material has come against the petitioner and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that during investigation the witnesses have stated the name of the petitioner that he along with others killed Neelam Devi.

In the facts and circumstances stated above, considering that co-accused Dhanwanti Devi has been allowed pre-arrest bail and the petitioner is the brother of Dhanwanti Devi and as such the petitioner, in case of his arrest or surrender within a period of 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 A.C.J.M-VII, Vaishali at Hajipur in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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