

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57103 of 2018

Arising Out of PS. Case No.-44 Year-2017 Thana- TISIAUTA District- Vaishali

-
1. Kedar Rai, S/o Late Ramashish Rai,
 2. Mahendra Rai, S/o Late Sukhdeo Rai,
 3. Gauri Rai, S/o Binda Rai, All resident of Village- Chapta, P.S.- Tisiauta, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 342, 326, 307, 498A/34 of the Indian Penal Code in which Section 302 IPC was added later.

Allegation against the accused persons is of committing torture and thereafter caused death of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are agnates of the husband of the deceased. They are separate in mess and property from the



husband of the deceased. The alleged incident is said to have taken place after 15 years of the marriage. The petitioners have been made accused due to mistake of fact. The witnesses in paragraphs 44, 45, 46, 47 and 48 of the case diary have not supported the allegations made in the F.I.R..

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -IX, Vaishali at Hajipur in connection with Tisiauta P.S. Case No. 44 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

