

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62570 of 2017

Arising out of PS.Case No. -151 Year- 2017 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Rakesh Kumar @ Rakesh Prasad @ Rakesh Sah S/o Shambhu Prasad.
 2. Reeta Devi, W/o Shambhu Prasad
 3. Lalmuni Devi, W/o Rakesh Kumar
 4. Shambhu Prasad, S/o Late Rudal Sah All residents of Village + P.S.-
Pakaridayal, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
- Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Nitesh Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-01-2018 Heard the learned counsel for the petitioners and the
learned APP for the State.

This is an application for grant of anticipatory bail in
connection with Pakaridayal P.S. Case No. 151 of 2017 registered
for the offence punishable under Sections 304(B) and 34 of the
Indian Penal Code.

The allegation is regarding the accused persons setting
the victim lady on fire on account of non-fulfillment of demand of
dowry.

The learned senior counsel for the petitioners submits
that the husband of the victim lady is in custody and as far as the
petitioners are concerned, they are the mother-in-law, father-in-
law, brother-in-law and sister-in-law of the victim lady and they



have a clean antecedent. It is further submitted that they are living separately from the house of the deceased lady, hence they have got nothing to do in the present case.

Per contra, the learned counsel for the informant submitted that all the accused persons have complicity in the present case, hence they should not be granted anticipatory bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-V at Motihari in connection with Pakaridayal P.S. Case No. 151 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is directed that the petitioners herein will join investigation and in case they do not cooperate with the investigation then the prosecution would be free to approach this Court for cancellation of the bail of the petitioners herein. It is further directed that the petitioners would present before the court concerned on each and every date fixed and in case of two



consecutive defaults, the present privilege of anticipatory bail would be withdrawn and the petitioners would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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