

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53422 of 2018

Arising Out of PS. Case No.-37 Year-2013 Thana- RIGA District- Sitamarhi

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1. RAMBABU RAI @ RAM BABU RAUT, Son of Suraj Rai.
 2. Ram Snehi Devi, Wife of Suraj Rai. Both resident of Village- Bulakopur, P.O.- Riga, District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Anish Kumar, Advocate.

For the Opposite Party : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 06-12-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 364 and 307 of the IPC.

The prosecution story, in brief, is that the daughter of the informant Ramsheela Devi was enticed away by the accused persons including the petitioners on 19.07.2008. Thereafter, Ramsheela Devi was married to petitioner no. 1 Rambabu Rai. On account of demand of dowry, relation in between them became sour and bitter. Later on, Ramsheela Devi became traceless.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is no any substantive evidence to suggest the implication of the petitioners in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case. The victim girl has been examined under Section 164 Cr. P.C. where she has alleged that she was sold by the petitioner to one Gulshan and later on the said Gulsan also sold her to one Pradeep Mallik.

Considering the nature of accusation, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected in connection with Riga P.S. Case No. 37 of 2013, pending in the court of learned C.J.M. Sitamarhi.

Anyhow, if the petitioners surrender and pray for regular bail in the learned court below, the same shall be considered by the learned court below on its own merit without being prejudiced by this order of the Court.

(Sudhir Singh, J)

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