

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2104 of 2019

Arising Out of PS. Case No.-251 Year-2018 Thana- SAHPUR District- Patna

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1. Prabha Devi, Wife Mukesh Rai
 2. Mukesh Rai, Son of Amarjeet Rai @ Amarjeet Prasad, both Resident of village- New Mubarakpur Bijapat, P.S.- Shahpur, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoranjan Kumar

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners, being the brother's wife and brother of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the IPC.

The prosecution case, as per the written report of Ram Ayodhya Ram, dated 27.08.2018, submitted to the Station House Officer, Shahpur Police Station, is to the effect that on 27.08.2018, the informant was informed by the Chaukidar of Shahpur Police Station that his grand-daughter, namely, Usha Devi, aged about 30 years has been killed by her husband and other in-laws family members by throttling her. It is further



alleged that earlier also, the accused persons attempted to kill her, but the issue was reconciled.

It is submitted by learned counsel for the petitioners that the informant is not the eye-witness to the occurrence. The thrust of accusation is against the husband of the victim and the petitioners claim to be separate from the husband of the victim, who is in custody. It is further submitted that the informant has subsequently retracted from his initial version with regard to other in-law family members, except the husband of the victim, and a petition to that effect has also been filed before the learned Court, which has been brought on record as Annexure-2.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the thrust of accusation against the husband of the victim and the informant not being the eye-witness to the occurrence, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M.-I, Danapur (Patna) in connection with Shahpur P.S. Case No. 251 of 2018, subject to



the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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