

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13651 of 2019

Arising Out of PS. Case No.-104 Year-2016 Thana- RAJAPAKAR District- Vaishali

1. RAM NARESH RAI Son of Late Jatta Rai
2. Raj Banshi Rai @ Raj Banshi Devi Wife of Ram Naresh Rai
Both resident of Village- Barati, P.S.- Rajapakar (Barati O.P.), District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 18-06-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Rajapakar (Barati O.P.) P.S.Casae no.104 of 2016 dated 4.8.2016 registered for offences punishable under Sections 498A, 307, 328, 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioners, who happens to be father-in-law and mother-in-law, of administering poison to her; due to which she was taken to the hospital.

Submission of the learned counsel for the petitioners is that they are father-in-law and mother-in-law and the materials collected during the course of investigation disclose that she



was served food by her *Gotani* and not by the petitioners and the petitioners are still ready to keep her with dignity and care.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that the injury report discloses that *phosphate* was served to her. Further her husband was living outside the India and she was not allowed to talk with her husband, however, if an affidavit is filed that she will be kept well by the petitioners, she is ready to reside with the petitioners. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners surrenders on 1.7.2019 before the learned court below and file a petition that they are ready to keep her with dignity and care and further file a petition that they will allow her to talk with her husband, the petitioners shall be released on provisional bail for a period of six months in connection with Rajapakar (Barati) P.S.Case No.104 of 2016 and during that period, the learned court below shall watch the conduct of both the parties by calling them in the first week of each month and once being satisfied with the conduct of both the parties, especially the conduct of the petitioners, the bail bond of the petitioners shall be confirmed.

With the aforesaid direction, this application is



disposed of.

(Vinod Kumar Sinha, J)

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