

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18223 of 2019

Arising Out of PS. Case No.-315 Year-2018 Thana- KADWA District- Katihar

1. Kishor Ray, S/o Yoginder Ray
 2. Sony Devi, W/o Pappu Ray
 3. Hirwa Ray, S/o Yoginder Ray
- All are Resident of Kumhri, P.S.-Kadwa, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Kadwa P.S. Case No. 315 of 2018 registered for the offences punishable under Section 304B/34 of the Indian Penal Code.

Petitioners in the present case are the elder brother, wife and younger brother of Pappu Ray. It is alleged that the daughter of the informant was married earlier with one Mithilesh Mandal, but later on her marriage with Mithilesh Mandal was dissolved and she solemnized second marriage with Pappu Ray who had already his first wife who is petitioner no.2



in the present case.

The allegation is that the said Pappu Ray had left the daughter of the informant with his relative and fled away, thereafter on 08.09.2018 the daughter of the informant went to her Sasural where her father-in-law allegedly assaulted her and asked her to run away from his house, but she did not run away and thereafter she committed suicide outside the house.

Learned counsel submits that it is apparent from the allegations that so far as these petitioners are concerned, they have not played any active role in the affairs between the daughter of the informant and the said Pappu Ray and in fact the petitioner no.2 who happens to be legally wedded wife is the victim of the relationship between her husband and the deceased. It is further submitted that so far as petitioner nos.1 and 3 are concerned, they are borthers and are living separately from Pappu Ray. The said Pappu Ray is already in custody and Yoginder Ray, who is father of the petitioner nos.1 and 3, has been granted regular bail.

Learned APP for the State is present and has opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, the nature of the relationship of the petitioners with that of



Pappu Ray, their alleged role and then the submission that they have not played any active role in the matter of affairs between the said Pappu Ray and the daughter of the informant, in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar in connection with Kadwa P.S. Case No. 315 of 2018, subject to the condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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