

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33515 of 2019

Arising Out of PS. Case No.-323 Year-2018 Thana- MANIYARI District- Muzaffarpur

1. Yogendra Rai @ Jogendra Rai aged about 60 years, Male, S/o Late Sakal Rai,
2. Shanti Devi, aged about 58 years, Female, W/o Yogendra Rai,
3. Naresh Rai, aged about 40 years, Male, S/o Yogendra Rai,
4. Rajesh Rai, aged about 36 years, Male, S/o Yogendra Rai,
5. Sobha Devi, aged about 35 years, Female, W/o Rajesh Rai,
6. Anita Devi, aged about 37 years, Female, W/o Naresh Rai,
All R/o village- Moraul, P.S.- Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner are apprehending their arrest in a case registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

Prosecution story in short is that on the basis of written application of informant Sakal Rai, FIR was lodged U/s 304(B)/34 IPC against Yogendra Rai and others alleging therein that his daughter Nitu Kumari now deceased was married five years with Sunil Rai and out of Wed lock two children were



born, but they all demanded Rupees one Lac and motorcycle and due to non fulfillment all tortured his daughter which is informed her Sunil Rai threatened of committing murder in case of non fulfillment of demand of dowry on 07.11.2018 information regarding the death of his daughter and on the information found his daughter was strangled none of family member was there then informed the police after postmortem dead was received. Perusal of the FIR, it is evident that FIR lodged on 08.11.2018 which was produced before the learned C.J.M. on 22.11.2018 after 14 days which reveals false allegation against the petitioners.

Learned counsel for the petitioners has submitted that the husband of the deceased is in jail and all the family members have made accused in this case. As per case diary the three independent witnesses of her parent's house who went at her sasural on the alleged night. The petitioners have no criminal antecedent.

In the aforesaid facts and circumstances of the case, let 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 of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten



thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class (West) Muzaffarpur in connection with Maniyari P.S. Case No. 323 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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