

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52201 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- VIDYAPATINAGAR District- Samastipur

1. PREM KUMARI DEVI, Wife of Suresh Rai Resident of Village- Gopalpur, Police Station- Vidyapati Nagar, District- Samastipur.
2. Dinesh Ray @ Dinesh Kumar Rai Son of Suresh Rai Resident of Village- Gopalpur, Police Station-Vidyapati Nagar, District-Samastipur.
3. Mithilesh Ray @ Amlesh Kumar Rai Son of Suresh Rai Resident of Village- Gopalpur, Police Station-Vidyapati Nagar, District-Samastipur.
4. Vikesh Ray @ Vikash Rai Son of Suresh Rai Resident of Village-Gopalpur, Police Station-Vidyapati Nagar, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mr.Rajeev Nayan (App 231)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 16-10-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Vidyapati Nagar Police Station Case No. 31 of 2019, disclosing offences under Sections 304-B/201/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with other co-accused persons, tortured and killed the daughter of the informant due to non-fulfillment of demand of dowry.



Learned Counsel for the petitioners submits that the petitioners, being the family members of the husband of the deceased, have falsely been implicated in the present case inasmuch as the petitioners are residing separately from the husband of the deceased and were not having any day-to-day family affairs of the deceased and her husband. He, referring to paragraphs 12 and 13 of the case diary, submits that the fact regarding separate residence and mess of the petitioners are stated therein by the brother-in-law of the deceased, namely, Uday Rai.

Having regard to the submissions made on behalf of the parties and perusal of the impugned order, it appears that processes under Sections 82-83 of the Code of Criminal Procedure, 1973 have already been issued against the petitioners, I am not inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, dismissed.

The petitioners are directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present



application for grant of anticipatory bail.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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