

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2228 of 2020

Arising Out of PS. Case No.-379 Year-2019 Thana- PARSABAZAR District- Patna

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1. SUNAINA DEVI W/o Bineshwar Rai @ Bindeshwar Rai R/o village- Nisarpura, P.S.- Parsa Bazar, District- Patna
 2. Rani Kumari D/o Bineshwar Rai @ Bindeshwar Rai R/o village- Nisarpura, P.S.- Parsa Bazar, District- Patna
 3. Vishal Kumar S/o Bineshwar Rai @ Bindeshwar Rai R/o village- Nisarpura, P.S.- Parsa Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar, Advocate.
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 16-06-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 498A, 313/34 of the Indian Penal Code.

Rahis Ray is the full brother of the informant of this case namely Birju Rai. Rahis Ray lodged Naubatpur P.S. Case No. 646 of 2019 on the same day i.e. 09.10.2019 alleging therein that Binod Ray, the son-in-law of the informant of this case had kidnapped to his daughter with intent to marry with



her. On the same day, the present F.I.R. was lodged with allegation that the petitioners administered some poisonous substance to Pinki Devi resulting in miscarriage of pregnancy of five months.

Learned counsel for the petitioners submits that since husband of said Pinki Devi had eloped with a girl of the family, Pinki Devi could not tolerate and swallowed poison. Thereafter, petitioners who are family members have been falsely implicated. There is no eye witness nor informant is an eye witness of the act alleged in the F.I.R.

Learned counsel for the informant submits that main allegation is against the petitioners.

Considering the background of the allegation and entire facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Parsa Bazar P.S. Case No. 379 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well



as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(c) The petitioners shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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