

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 6957 of 2020

Arising Out of PS. Case No.-78 Year-2019 Thana- RAGHOPUR District- Vaishali

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1. MUSAFIR RAI Son of Late Chandradeep Rai Resident of Village - Madaha,P.S.- Raghobpur, Rustampur (O.P.), Distt - Vaishali.
 2. Lagan Rai Son of Late Chandradeep Rai Resident of Village - Madaha,P.S.- Raghobpur, Rustampur (O.P.), Distt - Vaishali.
 3. Lutan Rai Son of Late Chandradeep Rai Resident of Village - Madaha,P.S.- Raghobpur, Rustampur (O.P.), Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr Shyam Kumar Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 26-06-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioners apprehend arrest in connection with Raghobpur (Rustampur) Police Station (for brevity, *PS*) Case No



78 of 2019 instituted for the offence punishable under Section(s) 304B, 120B, 201 of Indian Penal Code.

The informant's sister is alleged to have been done to death for demand of dowry. It is alleged that co-accused Manoj Rai, Daroga Rai and Sunaina Devi have killed his sister by setting her ablaze. Petitioners along with one Kailash Rai has been accused of disposing of the dead body. It is submitted by the petitioners' counsel that father-in-law and mother-in-law of deceased, namely, Daroga Rai and Sunaina Devi have been granted anticipatory bail by this Court in Cr Misc No 8928 of 2020. Petitioners are agnates and have been falsely implicated in this case. The allegation of disposing of the dead body is false. Husband of deceased is in custody. Petitioners have no criminal antecedent.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the Court below, within four (04) weeks from today, they shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of Additional Chief Judicial Magistrate IV, Vaishali at Hajipur in connection with Raghapur (Rustampur) PS Case No 78 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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