

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11999 of 2020

Arising Out of PS. Case No.-53 Year-2019 Thana- PATORI District- Samastipur

RAM BALAK RAI @ RAM BALAK RAY Son of Late Sidheshwar Rai
Resident of Village - Ram Chandrapur Dashahara, P.S.- Patori (Mohanpur
O.P) in the Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-06-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Patory (Mohanpur O.P.) P.S. Case No. 53 of 2019 registered under sections 363, 364 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that she along with her two daughters have been tortured by her brother-in-laws including the petitioner herein. It is stated that 15 years ago both of her brother-in-law have killed her daughter and had thrown her into the Ganga river. They took possession of her immovable property. It is further stated that



since 08.02.2019 at 10 p.m. her husband, who was mentally weak, has also disappeared. She is fully convinced that her younger brother-in-law Dev Kant Rai and his wife Kiran Devi have killed her husband.

It is submitted by learned counsel for the petitioner that even as per the FIR, no suspicion has been raised against this petitioner. The allegation against this petitioner relates to an unfounded suspicion raised by her with respect to an occurrence that took place 15 years ago. Further from the FIR itself it would transpire that the informant herself admits that her husband was mentally weak. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Patory (Mohanpur O.P.) P.S. Case no. 53 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned A.C.J.M.-IV,
Samastipur subject to the condition as laid down under section
438(2) of the Cr.P.C.

(Partha Sarthy, J)

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