

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17132 of 2020

Arising Out of PS. Case No.-98 Year-2019 Thana- BARURAJ District- Muzaffarpur

1. LAL SAHEB Son of Ram Nandan Rai Resident of Village - Akhtiyarpur, P.S.- Baruraj, District- Muzaffarpur
2. Kalawati Devi Wife of Lal Saheb Resident of Village - Akhtiyarpur, P.S.- Baruraj, District- Muzaffarpur
3. Subhash Kumar Son of Lal Saheb Resident of Village - Akhtiyarpur, P.S.- Baruraj, District- Muzaffarpur
4. Veena Kumari D/O- Lal Saheb Resident of Village - Akhtiyarpur, P.S.- Baruraj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 05-11-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners and Sri Naveen Kumar Pandey, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Baruraj PS case no. 98 of 2019 registered for the offences punishable under Sections 304(B), 201/34 of Indian Penal Code.

The case of the prosecution in brief is that the marriage of the daughter of the informant was solemnized with one



Vikash Rai 05 yrs. back, however after one year of marriage, her husband and other accused persons including the petitioners herein had started subjecting her to torture on account of non-fulfilment of the demand for dowry. It is further alleged that subsequently, in the morning of 20.05.2019, the informant was informed that his daughter has been murdered, whereafter he along with other persons had gone to the matrimonial home of his daughter, where he came to know that the accused persons had disposed off the dead body of the daughter of the informant with the intention of destroying evidence.

The learned counsel for the petitioner has submitted that petitioner no. 1 is the father-in-law, petitioner no. 2 is the mother-in-law and petitioners no. 3 and 4 are the brothers-in-law of the deceased victim lady. It is further submitted that the deceased victim lady had died on account of Diarrhea and the ensuing illness and there is no role of the petitioners herein in the alleged death of the daughter of the informant.

I have heard the learned counsel for the parties, perused the materials on record and gone through the case diary in question, from which it appears that the police upon investigation, has found that the deceased was suffering from serious illness of Diarrhea and had subsequently died on account of illness and infact, the informant has also sent an affidavit by post to the police stating therein that the informant and his family members were informed about the death of the deceased victim lady, whereafter they had



participated in the last rites of the deceased victim lady, however on account of being misguided by the villagers, he had filed the present case, nonetheless the fact is that the deceased had died on account of diarrhea. In such view of the matter, this Court deems it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st class, Muzaffarpur in connection with Baruraj PS case no. 98 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

