

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71714 of 2019

Arising Out of PS. Case No.-680 Year-2019 Thana- BIHTA District- Patna

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1. Hari Narayan Rai Son of Late Jugeshwar Rai, Resident of Village- Bihta Tola Par, P.S.- Bihta, District- Patna.
 2. Gope Yadav Son of Late Bhuletan Rai, Resident of Village- Bihta Tola Par, P.S.- Bihta, District- Patna.
 3. Niku Kumar @ Nikku Kumar Son of Late Bhuletan Rai, Resident of Village- Bihta Tola Par, P.S.- Bihta, District- Patna.
 4. Mostt Meena Devi @ Mina Devi Wife of Late Bhuletan Rai @ Late Bhuletan Yadav, Resident of Village- Bihta Tola Par, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 07-07-2020 Heard Mr. Manoj Kumar, learned counsel for the petitioners and Mr. Ramchandra Singh, learned counsel for the State through Video Conferencing.

In this case, the petitioners are seeking anticipatory bail in connection with Bihta P.S. Case No. 680 of 2019 registered for offence punishable under sections 304 (B)/201/34 of the Indian Penal Code.

The petitioner no. 1 has already been arrested and vide order dated 20.03.2020, the bail application with regard to petitioner no. 1 has been dismissed as withdrawn.



Allegation has been made in the present case that the marriage of the victim girl was solemnized with one Dipu Kumar, son of petitioner no. 4, in which Rs.6,00,000/-, one motorcycle and other articles were given as dowry. After some times, the accused persons have started demanding a four wheeler vehicle as she is the sole daughter of the informant. They used to torture the victim girl and also used to assault her. When the intensity of torture had gone up, the victim girl requested the informant that she wants to come her maik where she narrated the whole story and also shown mark of assault on her body. Ultimately the victim has been killed.

Learned counsel for the petitioners submits that the husband of the victim is in jail. Petitioner no. 2 is elder brother-in-law, petitioner no. 3 is younger brother-in-law and petitioner no. 4 is mother-in-law of the victim and there is no specific allegation made against them so they deserve to be granted anticipatory bail whereas learned counsel for the informant, Mr. Dhananjay Kumar submits that hardly within two years of the marriage, the victim girl has been killed on account of the fact that there was a delay in delivery of the four wheeler vehicle.

It has been alleged that all the accused persons are living together and they have jointly tortured the victim and



ultimately they killed her and disposed of her dead body. They have jointly done it so they do not deserve bail whereas the counsel for the petitioners submits that the petitioners are living separately but he failed to draw attention of this Court showing that they are living separately rather during the argument, he has accepted that Nikku Kumar (petitioner no. 3) is living with one Gopal Yadav but there is no material on record to show that these two persons are living separately with the husband of the victim.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioners and accordingly their prayer for bail is rejected.

(Shivaji Pandey, J)

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