

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80306 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- AKILPUR District- Saran

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Ramashray Rai Son of Late Shiv Mahadev Rai, Resident of Village -
Kedalura, Police Station - Akilpur, District - Saran, Presently resident at
Nasariganj Babu Sahab Gali, Police Station - Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 16-12-2020 Heard learned counsel for the petitioner and learned
counsel for the State through Video Conferencing.

In this case, the petitioner is seeking anticipatory bail
in connection with Akilpur P.S. Case No. 15 of 2019 registered
for offence punishable under sections 304(B)/201/34 of the
Indian Penal Code.

As per FIR, the victim lady has been killed on account
of the fact that her father had refused to transfer the land in
favour of his son-in-law. During investigation, her dead body
has been recovered from a gunny bag near railway bridge.

Learned counsel for the petitioner submits that the
petitioner is father-in-law of the deceased and he had stayed in
Danapur and commission of crime has been taken place in



Saran. The police has raided the house of the petitioner at Danapur itself shows that he does not stay in Saran and has wrongly been implicated in the present case. He has further submitted that there was no demand of dowry so it is not make out a case of section 304(B) Indian Penal Code, but the reason has been shown for commission of crime for refusal to transfer of land. The police during investigation found sufficient material against the petitioner. He further submits that some of the persons, including wife of the petitioner have been granted bail. They are residing far from the house of the deceased, but in the present case dead body of the victim girl has been found in a gunny bag and single person cannot commit crime and carry the dead body to a far from the house.

Looking to the entirety of the matter, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, if the petitioner surrenders before the court below and prays for regular bail, the court below will take decision in accordance with law.

(Shivaji Pandey, J)

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