

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81902 of 2019

Arising Out of PS. Case No.-60 Year-2019 Thana- SAHPUR District- Patna

1. Umesh Rai @ Umesh Prasad Son of Late Rama Kant Rai @ Ramakant Ray Resident of Village- Purani Panapur, P.S.- Danapur, District- Patna, At present resident of Village- Raghurampur, P.S.- Shahpur, District- Patna.
2. Chhabi Nath Rai @ Chhabi Nath Prasad Son of Late Rama Kant Rai @ Ramakant Ray Resident of Village- Purani Panapur, P.S.- Danapur, District- Patna, At present resident of Village- Raghurampur, P.S.- Shahpur, District- Patna.
3. Ajai Rai @ Ajay Kumar Son of Late Ram Badan Rai Resident of Jiwrakhan Tola, Lodipur, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Jha

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, being the brothers and brother-in-law of the husband of the victim, are apprehending their arrest in a case registered for the offences punishable under Sections 304B and 120B of the Indian Penal Code.

The prosecution case, as per the written report of Motijhari Devi submitted to the Station House Officer of Shahpur Police Station, is to the effect that the informant's daughter Gayatri Devi was married with Dhaneshwar on 20.05.2018 but subsequent to the marriage, torture was inflicted



upon the victim for non-fulfillment of further dowry demand and ultimately, she was killed by all the in-law family members including the petitioners.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the victim, who is in custody. The accusation is omnibus and general against the petitioners and similarly situated co-accused persons Janki Devi, Radha Kumari and Sona Devi, being mother-in-law and sisters-in-law (Gotni) have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 07.08.2019 passed in Cr. Misc. No. 35558 of 2019. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the fact that the thrust of accusation is against the husband of the victim and similarly situated co-accused persons have been granted anticipatory bail, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a



period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, District - Patna in connection with Shahpur P.S. Case No. 60 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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