

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30527 of 2021

Arising Out of PS. Case No.-152 Year-2020 Thana- MUSRIGHRARI District- Samastipur

1. DHARMENDRA KUMAR S/O Ramashray Ray @ Ram Shakal Ray Resident of Village - Tajpur, Bahi, P.S. - Muffasil, District - Samastipur.
2. Ravindra Kumar S/O- Ramashray Ray @ Ram Shakal Ray Resident of Village - Tajpur, Bahi, P.S. - Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2021 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Musrigharari PS case no. 152 of 2020 instituted for the offences punishable under Sections 304B/34 and 498A of Indian Penal Code.

The allegation is regarding the husband of the deceased victim lady namely Arvind Kumar having killed his wife. The petitioners are stated to be the brothers-in-law of the deceased victim lady.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is



languishing in custody since 30.12.2020. The learned counsel for the petitioner has further submitted that though the husband of the deceased victim lady has not surrendered before the learned court below, however considering the fact that he is the main accused in the present case, it may be directed that upon the husband of the deceased victim lady surrendering before the learned court below, the petitioners may be granted bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Accordingly, the present petition stands disposed off as not pressed with a direction that in case, the husband of the deceased victim lady namely Arvind Kumar surrenders before the learned court below, the petitioners would be entitled to file appropriate petition for grant of bail before the learned court of J.M.-cum-A.C.J.M., Samastipur in connection with Musrigharari PS case no. 152 of 2020 and the learned court below shall consider their case sympathetically, in view of the fact that the allegations have been primarily made against the husband of the deceased victim lady of having killed her.

(Mohit Kumar Shah, J)

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