

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36059 of 2020

Arising Out of PS. Case No.-40 Year-2020 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. Abhishek Rai, Son of Het Ram Rai resident of Village - Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
 2. Ashok Rai Son of Het Ram Rai resident of Village - Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
 3. Soni Devi Wife of Ashok Rai resident of Village - Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
 4. Vikash Rai @ Vikash Kumar Son of Het Ram Rai resident of Village - Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
 5. Het Ram Rai Son of Late Judagi Rai resident of Village - Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Dhar Jha
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 24-05-2021 Heard Mr. Shashi Dhar Jha, learned counsel for

the petitioners and Mr. Surendra Kumar, learned APP for

the State.

The petitioners seek bail in anticipation of their

arrest in connection with Mohiuddin Nagar P. S. Case

No. 40 of 2020, dated 11.03.2020, instituted for the

offences under Sections 302, 201 and 34 of the Indian

Penal Code.



The prayer for anticipatory bail of petitioner no. 1, who is the husband of the deceased, is hereby rejected.

However, if the petitioner no. 1 surrenders before the court below and seeks bail that shall be considered on its own merits, without being prejudiced by the fact that the present petition on his behalf has not been entertained by this Court.

The petitioner nos. 2 and 4 are the brothers of the husband of the deceased whereas petitioner no. 3 is the wife of petitioner no. 2 who has been granted provisional anticipatory bail. The petitioner no. 5 is the father-in-law.

Mr. Shashi Dhar Jha, learned counsel for the petitioners has submitted that the deceased herself consumed poison and every effort was made to have her resuscitated but to no avail.

Considering the afore-stated facts, this Court directs that in case the petitioner nos. 2, 4 and 5,



namely, Ashok Rai, Vikash Rai and Het Ram Rai
surrender before the court below, within a period of
eight weeks, they shall be released on bail, on their
furnishing bail bonds in the sum of Rs. 10,000 /- (Ten
Thousand) each with two sureties of the like amount
each to the satisfaction of the concerned court below.

Since the petitioner no. 3 is already on
provisional bail, her provisional bail is confirmed and she
shall be allowed to remain on the same bail-bonds.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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