

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37936 of 2020

Arising Out of PS. Case No.-139 Year-2019 Thana- BELA District- Sitamarhi

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1. VIMLESH RAI S/o Sahdev Rai (Dever) Resident of Village - Maliyawari, P.S. - Bela, District - Sitamarhi
 2. Parikshan Rai S/o Devsharan Rai (Cousin Father inlaw) Resident of Village - Maliyawari, P.S. - Bela, District - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-10-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bela P.S. Case No. 139 of 2019 for the offence punishable under Sections 302, 201, 120(B) and 34 of the Indian Penal Code.

The petitioners along with others are alleged to have killed the daughter of the informant and thrown the dead body of the deceased in a lonely place after hatching a



conspiracy.

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have not committed any offence. As a matter of fact, the petitioners happen to be brother -in-law (Devar) and cousin father-in-law of the deceased and they have been made accused in this case merely on the basis of suspicion as the informant is not the eye witness of the alleged occurrence. Save and except the suspicion, no cogent material has come against these petitioners during course of investigation. Hence, the petitioners may be granted the privilege of anticipatory bail.

Learned A.P.P for the State has, vehemently, opposed the prayer for grant of anticipatory bail to the petitioners and submitted that charge-sheet has been submitted against the co-accused, namely, Sahdeo Rai and Mahadeo Rai, under Sections 302, 201 and 120(B) of the Indian Penal Code and there is sufficient material is available against these petitioners in the case diary.

Considering the facts and circumstances of the case, let the, above named, petitioners in the event of their arrest or surrender before the court below within a period



of four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sadar, Sitamarhi in connection with Bela P.S. Case No. 139 of 2019 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Rajesh Kumar Verma, J)

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