

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4571 of 2021

Arising Out of PS. Case No.-329 Year-2020 Thana- RAMNAGAR District- West Champaran

1. VIJAY PRASAD S/o Late Shankar Prasad Resident of Village- Belagola, Harinagar, P.S.- Ramnagar, District- West Champaran.
2. Nilam Devi W/o Vijay Prasad Resident of Village- Belagola, Harinagar, P.S.- Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar No. 7, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 14-12-2021 Heard Mr. Bimlesh Kumar Pandey, learned Advocate for the petitioners and Mr. Sanjay Kumar No. 7, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Ramnagar P.S. Case No. 329 of 2020 dated 15.09.2020 which was initially instituted for the offences under Sections 341, 323, 506, 498A, 307 and 34 of the Indian Penal Code but later with the death of the deceased, Section 302 IPC has been added.

The petitioners are the brother-in-law and sister-in-law of the deceased. They are husband and wife



amongst themselves. One of the similarly situated accused persons *viz.* Anita Devi has been granted anticipatory bail by this Court *vide* order dated 02.11.2021 passed in Cr. Misc. No. 293 of 2021.

The learned counsel for the petitioners has further submitted that the petitioner no. 1 is ready to surrender before the court below and seek bail. However, he has prayed that anticipatory bail be granted to the petitioner no. 2, who has not been attributed with any specific accusation and a similarly situated person has been granted anticipatory bail by this Court.

Regard being had to the aforestated facts, the petitioner no. 2 (Nilam Devi) is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on her furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial



Magistrate, Vth Bagaha, West Champaran in connection with Ramnagar P.S. Case No. 329 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The prayer for anticipatory bail of petitioner no. 1 (Vijay Prasad) is rejected with an observation that if he surrenders before the court below and seeks bail, it shall be considered on its own merits without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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