

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11480 of 2021

Arising Out of PS. Case No.-367 Year-2019 Thana- TARAIIYA District- Saran

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1. BIJAY RAI @ VIJAY RAY S/O MATHURA RAY R/O VILLAGE-KHARATI, P.S.-TARAIIYA @ TARAIIYAN, DISTRICT-SARAN AT CHAPRA.
 2. KISHORI DEVI W/O BIJAY RAI @ VIJAY RAY R/O VILLAGE-KHARATI, P.S.-TARAIIYA @ TARAIIYAN, DISTRICT-SARAN AT CHAPRA.
 3. MALA DEVI W/O NITESH KUMAR R/O VILLAGE-KHARATI, P.S.-TARAIIYA @ TARAIIYAN, DISTRICT-SARAN AT CHAPRA.
 4. BIBHA KUMARI @ VIBHA KUMARI D/O BIJAY RAI @ VIJAY RAY R/O VILLAGE-KHARATI, P.S.-TARAIIYA @ TARAIIYAN, DISTRICT-SARAN AT CHAPRA.
 5. RAHUL KUMAR S/O BIJAY RAI @ VIJAY RAY R/O VILLAGE-KHARATI, P.S.-TARAIIYA @ TARAIIYAN, DISTRICT-SARAN AT CHAPRA. ... Petitioners

Versus

1. THE STATE OF BIHAR
2. SUNAINA DEVI W/O SANTOSH RAY, D/O GATI RAY R/O VILLAGE-NEWARI, P.O-PACBHINDA, P.S-TARAIIYA, DISTRICT-SARAN AT CHAPRA. ... Opposite Parties

Appearance :

For the Petitioners : Mr. Jeetendra Narayan, Adv.
For the Opposite Parties : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-12-2021 Heard Mr. Jeetendra Narayan, learned Advocate for the petitioners and Mr. Md. Nazir Ansari, learned Additional Public Prosecutor for the State.

The petitioners seek bail in anticipation of their arrest in connection with Taraiya @ Taraiyan P.S. Case No. 367 of 2019 dated 01.12.2019 instituted for the offences under Sections 341, 323, 308, 504, 506 and 4 of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act, 1961.



It has been alleged in the first information report that the informant was abused and assaulted by the accused persons including the petitioners for not withdrawing the earlier case lodged by her against the accused persons vide Taraiya P.S. Case No. 186 of 2018 dated 10.07.2018 registered under Section 498A and other sections of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act, 1961.

Learned counsel for the petitioners has submitted that in the aforesaid case, all the accused persons including the petitioners have been granted bail.

With respect to the present case, it has been urged on behalf of the petitioners that the accusation is absolute general and omnibus. He has further submitted that during the subsistence of the earlier case lodged by the informant, the petitioners would definitely not have had the courage of assaulting the opposite party no. 2/informant. Even the female members of the house have not been spared and they have also been made accused in this case.

Regard being had to the general nature of accusation against the petitioners and the fact that the petitioners have been granted bail in the earlier case lodged by the informant, they are directed to be released on bail, in the event of their 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 their furnishing bail bonds in the sum of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, I, Saran at Chapra, in connection with Taraiya @ Taraiyan P.S. Case No. 367 of 2019 subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Ashutosh Kumar, J)

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