

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42703 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- RAJEPUR District- East Champaran

1. KISHORI RAI @ KISHORI YADAV S/o Late Nemalal Rai
2. Kanti Devi W/o Kishori Rai @ Kishori Yadav
3. Pappu Kumar S/o Kishori Rai @ Kishori Yadav
All R/o village - Molnapur, P.S. - Rajepur, District - East Champaran
4. Sandhya Kumari W/o Kamlesh Rai R/o village- Kadhwa Paschimi Tola,
P.S.- Phenhara, District- East Champaran
5. Rina Devi W/o Samdo Rai @ Shyamdev Prasad Yadav R/o village- Nasiba,
P.S.- Phenhara, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 304(B),
120(B) and 201/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent.

The informant alleges that his daughter was married
to Satish Rai in the year 2017. After marriage, accused persons



including the petitioners were demanding a motorcycle and a she-buffalo and on non-fulfillment of the demand she was tortured. On 13.12.2021, the informant came to know that his daughter was killed and dead body cremated.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of demand of dowry and torture is general and omnibus in nature. It is next submitted that petitioner no. 1 is elder brother, petitioner no. 2 is wife of petitioner no. 1, petitioner no. 3 is son of petitioner no. 1, petitioner no. 4 and 5 are married Nanad of the deceased and all the petitioners are living separately. It is also submitted that whenever any dispute arises between the husband and the wife, the entire family members are implicated based on general and omnibus allegation. It is further submitted that the husband of the deceased is in custody.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajepur P.S. Case No. 03 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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