

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71437 of 2021

Arising Out of PS. Case No.-359 Year-2021 Thana- RIVILGANJ District- Saran

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1. SANDESH RAI @ SANDESH KUMAR RAI.
 2. JITENDRA RAI @ JITENDRA KUMAR
Both are Sons of Lal Bahadur Rai.
 3. ILAICHI KUWAR, Wife of Lal Bahadur Rai.
 4. PUJA KUMARI D/o Lal Bahadur Rai.
All are resident of Village - Sengar Tola, P.S. - Rivilganj, District - Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Udai Shankar Singh. Advocate
For the Opposite Party	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-03-2022 Heard learned counsel for the parties.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Rivilganj P.S. Case No. 359 of 2021 for the offence punishable under Sections 302 & 201/34 of the Indian Penal Code.

It has been submitted by learned counsel for the petitioners that the marriage was solemnized 15 years back and the deceased had two children. It has also been submitted that petitioner nos. 1 and 2 are *devar* and petitioner no.4 is *nanad* of



the deceased and they do not have anything to do with the matrimonial relationship of the husband and wife. It has also been submitted that two children of the deceased are staying with petitioner no.3, who is mother-in-law of the deceased.

Considering the aforesaid submissions and the entirety of the facts and circumstances of the case, this bail application is allowed.

Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the Court below, 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 Judicial Magistrate, 1st Class, Saran at Chapra, in connection with Rivilganj P.S. Case No. 359 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

However, at the time of furnishing the bail bonds, the petitioner no.3 shall satisfy the Court below by physically producing the two minor children of the deceased that they are staying with her and only thereafter her bail bonds shall be accepted by the Court below. If she is unable to satisfy the Court below that the minor children are staying with her, in such



circumstance, the petitioner no.3 shall be taken into custody and
the matter will be reported to this Court.

(Sandeep Kumar, J)

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