

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7225 of 2023

Arising Out of PS. Case No.-247 Year-2022 Thana- DIDARGANJ District- Patna

1. AKHILESH KUMAR Son of Rajendra Ray @ Rajendra Rai Resident of Mohalla - Didarganj, Dharmshala, Mahavir Ghat, Police Station - Didarganj, District - Patna.
2. Babloo Kumar @ Babloo Rai Son of Rajendra Ray @ Rajendra Rai Resident of Mohalla - Didarganj, Dharmshala, Mahavir Ghat, Police Station - Didarganj, District - Patna.
3. Rajendra Rai @ Rajendra Ray Son of Late Harkhu Rai Resident of Mohalla - Didarganj, Dharmshala, Mahavir Ghat, Police Station - Didarganj, District - Patna.
4. Anita Devi @ Lalita Devi Wife of Rajendra Ray @ Rajendra Rai Resident of Mohalla - Didarganj, Dharmshala, Mahavir Ghat, Police Station - Didarganj, District - Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate
For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Didarganj P.S. Case No. 247/2022 registered for the offences punishable under Sections 498A, 302 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that he has two daughters and three sons and the



marriage of his elder daughter was solemnized in the year 2012 as per Hindu rites and rituals with one Munna Rai. She was blessed with two male and two female children out of the wedlock. But she was regularly tortured by her in-laws members. Panchayati was held to resolve the issue. But ultimately on 21.09.2022, the informant received an information that Manju Devi has been killed by the members of her in-laws by means of pushing her neck/by hanging.

Learned counsel for the petitioners submits that petitioner has been falsely implicated in this case. It is submitted that the marriage is of the year 2012 and the parties have got four children from the wedlock. They were living separately in mess and business from the present petitioners.

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

Having regard to the facts and circumstances of the case wherein it is submitted that the marriage is of the year 2012, parties have got four children and they were living separately in mess and business from the present petitioners who are Dewars (younger brother of the husband), father-in-law and mother-in-law of the deceased, the husband of the deceased is already in judicial custody, this Court, therefore, directs that in



case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Patna City, in connection with Didarganj P.S. Case No. 247/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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