

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14311 of 2023

Arising Out of PS. Case No.-75 Year-2022 Thana- DARIYAPUR District- Saran

1. SANJEET RAI Son of Sahdev Ray Resident of Village - Darihara Chaturbhuj, P.S.- Dariyapur, District - Saran.
2. Lalbabu Rai @ Babulal Rai Son of Late Ramdeo Rai Resident of Village - Darihara Chaturbhuj, P.S.- Dariyapur, District - Saran.
3. Patasi Devi Wife of Late Birbal Rai Resident of Village - Darihara Chaturbhuj, P.S.- Dariyapur, District - Saran.
4. Sunita Devi Wife of Dinesh Rai Resident of Village - Darihara Chaturbhuj, P.S.- Dariyapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard the parties.

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

The allegation against the petitioners is that the petitioners killed the daughter of the informant and disposed of her dead body.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. Petitioner no.1 is the agnate of the deceased, petitioner no.2 is the co-villager, petitioner nos.3 and 4 are the mother-in-law and sister-in-law of the deceased, respectively. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that in the case diary, the independent witnesses have supported the allegation against the petitioner no.4 namely, Sunita Devi.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.4 on bail. The prayer for grant of anticipatory bail on her behalf is hereby rejected.

However, as there is no specific overt act against the petitioner nos.1, 2 and 3, let the above named petitioner nos.1, 2 and 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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
Dariyapur P.S. Case No.75 of 2022, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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