

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26347 of 2023

Arising Out of PS. Case No.-419 Year-2021 Thana- JOGAPATTI District- West Champaran

1. Rakesh Ram Son Of Lagan Ram R/O Village- Chumukha Barharwa, P.S.- Yogapatti, District- West Champaran
2. Prakash Ram Son Of Lagan Ram R/O Village- Chumukha Barharwa, P.S.- Yogapatti, District- West Champaran
3. Umesh Ram Son Of Lagan Ram R/O Village- Chumukha Barharwa, P.S.- Yogapatti, District- West Champaran
4. Lagan Ram Son Of Late Dhola Ram R/O Village- Chumukha Barharwa, P.S.- Yogapatti, District- West Champaran
5. Prabhawati Devi Wife Of Lagan Ram R/O Village- Chumukha Barharwa, P.S.- Yogapatti, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ajeet Kumar Bhardwaj, Advocate
For the Opposite Party/s	:	Mr.Arun Kumar Pandey, APP
For the Informant	:	Mr. Krishna Deo Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 304(B), 201, 149, 120(B) of the Indian Penal Code.

Allegation against the petitioners is of committing torture and thereafter committed murder of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that



the petitioner Nos. 1 to 3 and 5 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The present case has been instituted under Sections 498(A), 304(B), 201, 149 and 120(B) of I.P.C. A complaint case was filed on 31.08.2021 and the said complaint was sent for institution of F.I.R. under the provisions of section 156(3) of the Cr.P.C. Learned counsel for the petitioners submits that prior to the institution of the said complaint case, an F.I.R. was instituted by petitioner No. 4 on 11.06.2021 much prior to the institution of the said complaint case and virtually after two and a half months, the present complaint case was filed. The case filed by the petitioner No. 4 is Annexure-2 to the present application for offence under Section 363 I.P.C.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of



the like amount each to the satisfaction of Court below/concerned Court in connection with Yogapatti P.S. case No. 419 of 2021 arising out of Complaint Case No. 646 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioners are directed to co-operate during the trial. If the petitioners do not co-operate during the trial, the Court below will be at liberty to cancel the bail bonds of the petitioners.

(Sudhir Singh, J)

Pankaj/Nitin

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