

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30728 of 2023

Arising Out of PS. Case No.-118 Year-2021 Thana- BELA District- Sitamarhi

1. RAMESH RAI SON OF MANOHAR RAI R/O-VISHNUPUR, P.S.-BELA, DISTT.-SITAMARHI
2. MANOHAR RAI SON OF LATE BABUNI RAI R/O-VISHNUPUR, P.S.-BELA, DISTT.-SITAMARHI
3. SUKHIYA DEVI WIFE OF MANOHAR RAI R/O-VISHNUPUR, P.S.-BELA, DISTT.-SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-07-2023 Heard the learned counsel for the
petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Bela P.S. Case No.118 of 2021, registered for offences under Sections 304(B), 201 and 34 of the Indian Penal Code.

The allegation is regarding the daughter of the informant, having been married with the son of the petitioners no.2 and 3, namely, Suresh Rai, however, subsequently, the accused persons,



including the petitioners herein, who are the brother-in-law, father-in-law and mother in law of the deceased victim lady are alleged to have started torturing the victim lady on account of non-fulfillment of the demand for dowry and finally it is alleged that the daughter of the informant was killed and her body was disposed off.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the main accused person is the husband of the deceased victim lady, who is already behind bars, as has been categorically stated in paragraph no.11 of the present petition, hence no prejudice would be caused to the prosecution in case the petitioners are granted bail, especially on account of the fact that they were living separately from the deceased victim lady and her husband.

Per contra, the learned APP for the



State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that no specific allegation has been levelled against the petitioners, they are having a clean antecedent, the husband of the deceased victim lady is behind bars and the petitioners are stated to be living separately from the deceased victim lady and her husband, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Bela P.S. Case No.118 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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