

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42044 of 2023

Arising Out of PS. Case No.-222 Year-2022 Thana- MEHSI District- East Champaran

1. RAJESH RAM SON OF YOGENDRA RAM RESIDENT OF VILLAGE -
BARURAJ BORING CHAUK, P.S. - BARURAJ, DISTRICT -
MUZAFFARPUR
2. SABITA DEVI WIEF OF RAJESH RAM RESIDENT OF VILLAGE -
BARURAJ BORING CHAUK, P.S. - BARURAJ, DISTRICT -
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-08-2023 On call, no one appears on behalf of the petitioners
although the State is present.

The petitioners apprehend their arrest in connection
with Mehsi P.S. Case No. 222 of 2022 for the offence registered
under sections 302 and 34 of the Indian Penal Code lodged on
14.07.2022 by the informant, Rakesh Ram.

As per the prosecution story, the informant alleged
that his younger brother went to the in-laws of his elder brother
and subsequently they came to know about his death.
Accordingly, the informant has suspicion that in-laws of his
elder brother killed his younger brother.

As per the petition, it is clear there is no materials on



record and only because that the alleged death took place at the house of the in-laws of his elder brother, the family members have suspicion of killing followed by implication.

The petitioner no. 2 is a lady, a young girl of 20 years while the petitioner no. 1 is her husband and they do not have criminal antecedent. Considering the aforesaid facts, this Court is inclined to extend them privilege of anticipatory bail.

Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari in connection with Mehsi P.S. Case No. 222 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show their *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;



(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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