

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47612 of 2023

Arising Out of PS. Case No.-633 Year-2022 Thana- DARIYAPUR District- Saran

1. Arvind Rai, aged about 31 years, Male, Son of Junarabi Rai Resident of Village - Idilpur, P.S. - Dariyapur, Distt. - Saran
2. Indu Devi, aged about 50 year, female, Wife of Junarabi Rai Resident of Village - Idilpur, P.S. - Dariyapur, Distt. - Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Dariyapur P.S. Case No. 633 of 2022 dated 24.11.2022, instituted for the offence punishable under Sections 302, 304 (B), 201 & 34 of the Indian Penal Code.

3. The prosecution case, in short, is that due to intercaste marriage, the daughter of the informant has been killed by the in-laws of the deceased.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that one month prior to the death, the marriage was solemnized in the presence of the police and the villagers in the temple. Allegation against the petitioners is general and omnibus. It is further submitted that petitioners



are residing quite separately from deceased and her husband and as such they have no concern with the family of the deceased and her husband. Learned counsel submitted that the petitioner no. 1 is the brother-in-law (*Bhaisur*) and petitioner no. 2 is mother-in-law of the deceased respectively. Lastly, it has been submitted that they have clean antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Dariyapur P.S. Case No. 633 of 2022, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-13th, Chapra at Saran, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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