

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52251 of 2023

Arising Out of PS. Case No.-573 Year-2022 Thana- TAJPUR District- Samastipur

1. Ram Sakal Ray S/O Late Sone Lal Ray R/O Village- Vikrampur Bandey, P.S- Samastipur Muffasil, Distt.- Samastipur.
2. Rinki Devi @ Rinki Kumari W/O Late Anil Ray R/O Village- Vikrampur Bandey, P.S- Samastipur Muffasil, Distt.- Samastipur.
3. Sunil Ray @ Sunil Kumar S/O Ram Sakal Ray R/O Village- Vikrampur Bandey, P.S- Samastipur Muffasil, Distt.- Samastipur.
4. Neelam Devi W/O Ram Sakal Ray R/O Village- Vikrampur Bandey, P.S- Samastipur Muffasil, Distt.- Samastipur.
5. Rajani Kumari @ Rajni Kumari W/O Late Mithun Kumar Ray R/O Village- Vikrampur Bandey, P.S- Samastipur Muffasil, Distt.- Samastipur.
6. Vishal Kumar @ Vishal Nath Yadav S/O Shiv Nath Ray @ Baijnath Ray R/O Village- Vikrampur Bandey, P.S- Samastipur Muffasil, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and the learned Additional Public Prosecutor (for brevity 'APP') for the State.

2. The petitioners are apprehending their arrest in connection with Tajpur (Halai O.P.) P.S. Case No. 573/ 2022 registered for the offence punishable under Sections 302, 201, 34 of the Indian Penal Code (for brevity 'IPC').

3. It is alleged in the complaint petition that the informant's son was being coerced for getting his lands



registered in the name of petitioner No. 5 (wife). It is alleged that petitioners have assaulted informant's son, and thereafter hanged him, leading to his death.

4. Learned counsel for the petitioners submits that petitioner No. 5 (deceased wife), in fact, has lodged complaint case, holding the present complainant and family members of the deceased (husband) responsible for the killing. She had lodged complaint case No. 1375/2022 on 20-08-2022, whereafter she, along with her own family members, have been made accused in the present case, based on present complaint petition lodged on 29-08-2022. In fact, complainant of the present case has filed a petition in the trial court that due to misunderstanding and instigation, she has lodged the complaint case, wherein all the family members (petitioners) have been made accused. It fact, deceased had committed suicide.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Having regard to the submissions advanced by the petitioners' counsel, sequence of events, taken note of above, as also petition filed by the complainant (Annexure- 3) and clean antecedents of the petitioners, this Court is inclined to allow



petitioners' prayer for grant of anticipatory bail.

7. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Samastipur, in connection with Tajpur (Halai O.P.) P.S. Case No. 573/2022, subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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