

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52662 of 2023

Arising Out of PS. Case No.-288 Year-2022 Thana- GAIGHAT District- Muzaffarpur

1. Lal Babu Rai Son of Late Lakhan Ray, Resident of Village-Asiya, P.S.-Gaighat, District-Muzaffarpur.
2. Shivdulari Devi Wife of Lal Babu Ray, Resident of Village-Asiya, P.S.-Gaighat, District-Muzaffarpur.
3. Chandani Kumari W/o Dipak Kumar Yadav, Resident of Village-Asiya, P.S.-Gaighat, District-Muzaffarpur.
4. Rupa Kumari D/o Lal Babu Ray, Resident of Village-Asiya, P.S.-Gaighat, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-08-2023 Learned counsel for the petitioners submits that due to inadvertence in paragraph nos.6 & 8 of the application the word “married Nanad” has been written instead of “married sister-in-law”, therefore, he seeks permission to correct the same.

2. Permission granted.

3. Learned counsel for the petitioners is directed to make necessary correction in the application in course of the day.

4. Heard learned counsel for the petitioners and learned A.P.P. for the State.



5. The petitioners are apprehending their arrest in connection with Gaighat P.S. Case No.288 of 2022 dated 26.06.2022, lodged under Sections 304(B)/34 of the Indian Penal Code.

6. As per prosecution case, the F.I.R. has been lodged against five named accused persons. It has been alleged by the informant that the marriage of his daughter was solemnized with accused Dilip Rai and in the morning of 25.06.2022 he received information that his daughter was killed by all the accused persons including the petitioners and dead body was brought in S.K.M.C.H. for treatment. It has also been alleged that as soon as the informant reached there, all accused persons except the son-in-law fled away and he was arrested by the Police on the same day.

7. Learned counsel for the petitioners submits that from the contents of F.I.R., it become very much clear that as soon as the informant's daughter become ill, the in-laws' family immediately went to the hospital and intimated in this regard to the informant's family also and the husband was throughout present with the informant. He further submits that the petitioners are the family members of the husband of informant's daughter, from the contents of F.I.R., it is clear that



husband is already in custody and the allegation in the F.I.R. is general and omnibus.

8. Learned A.P.P. for the State opposes the prayer for bail.

9. In the present facts and circumstances, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur, in connection with Gaighat P. S. Case No.288 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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