

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56367 of 2022

Arising Out of PS. Case No.-207 Year-2022 Thana- SAKRA District- Muzaffarpur

1. NAND KISHORE RAI Son of Bhikhari Rai @ Bhikhri Rai Resident of village -Pilkhi Jurawan Patti, P.S.- Sakra, District - Muzaffarpur.
2. Sanju Devi Wife of Nand Kishore Rai Resident of village -Pilkhi Jurawan Patti, P.S.- Sakra, District - Muzaffarpur.
3. Jitendra Kumar Son of Nand Kishore Rai Resident of village -Pilkhi Jurawan Patti, P.S.- Sakra, District - Muzaffarpur.
4. Nisha Kumari Daughter of Nand Kishore Rai Resident of village -Pilkhi Jurawan Patti, P.S.- Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Prakash Sharma,Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Sakra P.S. Case No. 207 of 2022 for the offence registered under Sections 304(B) and 34 of the Indian Penal Code.

As per the prosecution story, the allegation is that the informant's daughter married Rahul Rai in 2019 whereafter she was tortured for dowry and subsequently, allegation is of killing her daughter.

Learned counsel for the petitioners submit that the



petitioner no. 1 is the father-in-law, petitioner no. 3 is brother-in-law (devar), petitioner no. 2 is the mother-in-law and the petitioner no. 4 is a sister-in-law (nanad). The further submission is that they were living separately from the couple and had nothing to do with it. It has also been submitted that the informant after realizing that it was a natural death also made a petition before the learned A.C.J.M.-XIIth, East Muzaffarpur to this effect. The last submission is that although the husband is ill, he will be surrendering before the concerned Court soon.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Taking into account the fact that the petitioners are father-in-law, mother-in-law, brother-in-law and sister-in-law and according to the petition, they were living separately, do not have criminal antecedent, this Court is inclined to grant 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 Additional Chief Judicial Magistrate, 12th cum Sub-Judge-04, East Muzaffarpur in



connection with Sakra P.S. Case No. 207 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions:

(i) 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;

(ii) 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;

(iii) 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.

(Rajiv Roy, J)

Jagdish/Neha/-

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