

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62440 of 2022

Arising Out of PS. Case No.-209 Year-2022 Thana- RAGHOPUR District- Vaishali

1. KUSUM DEVI W/o Ram Chandra Rai @ Ramchand Rai R/o Ibrahimabad, P.S.- Raghapur, Distt- Vaishali.
2. Ram Chandra Rai @ Ramchand Rai S/o Late Girija Rai R/o Ibrahimabad, P.S.- Raghapur, Distt- Vaishali.
3. Manu Rai S/o Ram Chandra Rai @ Ramchand Rai R/o Ibrahimabad, P.S.- Raghapur, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no.2 submitting that during pendency of this application the petitioner no.2 has already been apprehended by the police.

Permission is granted.

Accordingly, this application with regard to petitioner no.2 is dismissed as withdrawn.

Now this appeal is being heard only with regard to petitioners no. 1 and 3.



The petitioners apprehend their arrest in Raghopur P.S. Case No. 209 of 2022 registered for the offences punishable under Sections 304(B), 201/34 of the Indian Penal Code pending in the Court of learned J.M. 1st Class, Vaishali at Hajipur.

Allegation against the petitioners is that the daughter of the informant is married with Sonu Ray two years ago. In-laws members always used to torture the informant's daughter for a demand money for motorcycle. The informant got information by telephone, from the neighbours of in-laws of his daughter, that his daughter got murdered and body is lying somewhere.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that petitioner no. 1 is mother-in-law and petitioner no. 3 is brother-in-law of the deceased. Petitioners have got no criminal antecedent as mentioned in para 3 of the bail application.

Learned APP for the State opposes prayer for bail and submits that there is specific overt act against the petitioners. Hence, they do not deserve privilege of bail.



Considering the facts and circumstances of case as well as the nature of offence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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