

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70013 of 2023

Arising Out of PS. Case No.-113 Year-2022 Thana- CHANDI District- Bhojpur

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RAMESH RAI Son of Late Nagina Rai R/o vill - Narhi, P.S. - Chandi, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in connection with Chandi P.S. Case No. 113/2022 registered for the offences punishable under Sections 304(B), 201, 34 IPC of the Indian Penal Code.

As per prosecution case, petitioner and others are said to have killed the informant's daughter for non-fulfilment of demand of dowry and her dead body has been made to disappear.

Learned counsel for the petitioner submits that petitioner is the uncle of the husband of deceased. He has nothing to do with the family affairs of deceased as the partition took place among all the brothers of petitioner about 15 years



ago and since then petitioner is living separately in other portion of the premises of deceased's family. He further submits that allegation against petitioner is general and omnibus in nature. Petitioner is quite innocent and has falsely been implicated in the present case. Moreover, on similar and identical allegation, co-accused Sanju Devi, has already been granted anticipatory bail by the Co-ordinate Bench of this Court vide Criminal Miscellaneous No. 48074 of 2023. He further submits that in the light of said submission, no offence is made out against the petitioner as alleged in the FIR.

The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides, the material available on record, petitioner has nothing to do in the family affairs of the deceased and co-accused has already been granted anticipatory bail, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned



A.C.J.M. V, Bhojpur, Ara in connection with Chandi P.S. Case
No. 113/2022, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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