

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68510 of 2022

Arising Out of PS. Case No.-183 Year-2020 Thana- DUMRA District- Sitamarhi

1. Vikau Rai @ Bikau Rai @ Feku Kumar S/O Harinarayan Rai @ Gorakh Rai R/V- Bhaluaha, P.S.- Dumra, District- Sitamarhi
2. Harinarayan Rai @ Gorakh Rai S/O Dhurilal Rai R/V- Bhaluaha, P.S.- Dumra, District- Sitamarhi
3. Pukariya Devi @ Ram Pukari Devi W/O Harinarayan Rai @ Gorakh Rai R/v- Bhaluaha, P.S.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 304(B) and 201 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, all the accused persons are said to have committed the murder of the sister of the informant in connection with demand of dowry.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that petitioners are in laws of the deceased and husband of the deceased is already in judicial



custody. He submits that just after the marriage there was a separation in the family and these petitioners were living separately with the husband of the deceased. He further submits that petitioners have got one criminal antecedent in similar nature as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioners is serious in nature. Hence, they do not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that similar nature of the offence is already against the petitioners, I am not inclined to enlarge the petitioners on bail in connection with Dumra P.S. Case No. 183/2020. Accordingly, their prayer for anticipatory bail is hereby rejected.

However, if the petitioners surrender before the learned Court below within a period of six weeks from today and seek regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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