

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.845 of 2023

Arising Out of PS. Case No.-5 Year-2022 Thana- TARIYANI CHAPRA PS District- Sheohar

PREM RAY S/O MANOJ RAY Resident of village-Tajpur Chaur, P.S.-
Tariyani Chhapra, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 304(B) and 201/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, on non-fulfillment of the demand for dowry all the accused persons are said to have killed the daughter of the informant. When the informant arrived at the *sasural* of the daughter and knew that his daughter was already killed one or two days before and his dead body was engraved. It has been further alleged that the daughter has been killed by Dilip Rai, Manoj Rai, the petitioner and Chandeshwar Paswan along with some other villagers in order to conceal the evidence



her dead body was engraved.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that petitioner is the *Bhaisur* of the deceased. He submits that husband of the deceased has already surrendered before the learned Court below. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Tariyani Chhapra P.S. Case No.05/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, the learned Court below is directed to verify



this fact whether the husband of the deceased has surrendered before the learned Court below or not. If husband of the deceased has not surrendered, the bail bond of the petitioner shall not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

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