

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35466 of 2024

Arising Out of PS. Case No.-233 Year-2023 Thana- MOTIPUR District- Muzaffarpur

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Anil Rai @ Anil Kumar Ray Son of Ganesh Ray Resident of village - Pana
Chhapra, P.S.- Motipur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.J.N. Thakur

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 21-08-2024 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Motipur P.S. Case No. 233 of 2023,
registered for the offences punishable under Sections 302,
201/34 of the Indian Penal Code.

3. Informant Parvati Devi makes allegation that her
daughter was married to co-accused Gorakh Rai, 13 years prior
to the occurrence. Her son-in-law Gorakh Rai and his family
members committed murder of her daughter for non-fulfillment
of demand of a motorcycle.

4. Learned counsel for the petitioner submits that
the petitioner is not family member of husband of the deceased.



He is a co-villager having no relation with the family affairs of the deceased and her husband. Learned counsel has also submitted that during investigation it has been detected that the deceased had committed suicide.

5. On the other hand, learned APP, Shri J.N. Thakur by drawing my attention towards paragraph no. 27 of the case diary has stated that an independent witness Punam Devi stated in her statement that the deceased had illicit relation with son of the petitioner.

6. There is specific allegation in the FIR that the deceased was done to death at the hands of her family members for non-fulfillment of demand of a motorcycle. Merely because a witness has stated that the petitioner's son had illicit relation with the deceased it cannot be said to be a motive for murder of the deceased by the petitioner along with other accused persons. Except the statement of witness Punam Devi, there is nothing against the petitioner in the entire case diary.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, West Muzaffarpur in connection



with Motipur P.S. Case No. 233 of 2023, subject to the following condition:-

The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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