

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57043 of 2024

Arising Out of PS. Case No.-542 Year-2023 Thana- BIDUPUR District- Vaishali

1. Kusmi Devi Wife Of Sri Jainandan Rai Resident Of Village - Kathauliya, P.S. - Bidupur, District - Vaishali
2. Babita Devi Wife Of Brijrai Rai Resident Of Village - Kathauliya, P.S. - Bidupur, District - Vaishali
3. Rina Devi @ Rina Kumari Wife Of Raj Kishore Rai Resident Of Village - Kathauliya, P.S. - Bidupur, District - Vaishali
4. Brijrai Rai Son Of Jainandan Rai Resident Of Village - Kathauliya, P.S. - Bidupur, District - Vaishali
5. Raj Kishore Rai Son Of Jainandan Rai Resident Of Village - Kathauliya, P.S. - Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Nazia Shabah, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s :		Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

3. Prosecution case, in brief, is that on 11.09.2023 at about 10 AM, informant had small altercation with her husband and in-laws consequent to which, all the F.I.R. named accused



persons including these petitioners kidnapped the daughter of informant, namely, Anjali Kumari (deceased) and killed her. After the murder of Anjali Kumari, her dead body was thrown in Ganga river with intention to conceal the offence.

4. Learned counsel for the petitioners submits that informant is none other than own daughter-in-law of petitioner No. 1, gotni of petitioner Nos. 2 & 3 and *bhabhi* of petitioner Nos. 4 & 5. As per F.I.R., husband and brothers-in-law of the informant took away the deceased on motorcycle and thereafter killed her. Only suspicion has been raised against petitioner Nos. 1, 2 & 3 who are gotni of informant and petitioner Nos. 4 & 5 are brothers of the husband of informant, namely, Raj Vijay Rai. It is further submitted that co-accused Raj Vijay Rai was put on trial *vide* S.T.R. No. 7 of 2004 and learned Trial Court *vide* its judgment and order dated 29.03.2024 acquitted him and during trial, all the witnesses, including informant, turned hostile and they did not support the prosecution case. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that



let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Vaishali in connection with G.R. No. 2192 of 2023 arising out of Bidupur P. S. Case No. 542 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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