

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63187 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- CHIRAIYA District- East Champaran

1. Ramayodhya Rai @ Yodha Rai Son Of Late Hari Rai Village- Saraugadh Baijnathpur, Ps- Chiraiya, Dist- East Champaran
2. Manish Kumar Son Of Kavleshwar Rai Village- Khodha Baswariya, Ps- Chiraiya, Dist- East Champaran
3. Kabutar Devi @ Kabutari Devi Wife Of Kavleshwar Rai Village- Khodha Baswariya, Ps- Chiraiya, Dist- East Champaran
4. Minita Kumari @ Minta Kumari Daughter Of Kavleshwar Rai Village- Khodha Baswariya, Ps- Chiraiya, Dist- East Champaran
5. Priyanka Devi @ Priyanka Kumari Daughter Of Kavleshwar Rai Village- Khodha Baswariya, Ps- Chiraiya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 304B and 201/34 of the Indian Penal Code.

3. As per allegation in the FIR, all the petitioners have committed the murder of the daughter of the informant and disappeared her dead body.

4. Learned counsel for the petitioners submits that



petitioners have falsely been implicated in this case. He next submits that petitioner no.1 is cousin father-in-law, petitioner no.2 is nephew, petitioner no.3 is gotani(Jethani), petitioner no.4 is Nanand (Jaydhi and petitioner no.5 is Nanand of Sumitra Devi (deceased) and petitioners have got no criminal antecedent as stated in para-3 of the petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioners.

6. On perusal of the first information report, case diary and impugned order dated 29.06.2024, it appears that petitioners are named in the FIR and the allegation against the petitioners and other co-accused persons committed the murder of the daughter of the informant and disappeared the dead body of the deceased. It also appears that three petitioners are ladies and her age is 44 years, 29 years and 21 years respectively, so considering the three petitioners being ladies and other circumstances, I am inclined to grant the three petitioners on anticipatory bail.

7. Let the three petitioners being ladies, namely, Kabutar Devi @ Kabutari Devi, Minita Kumari @ Minta Kumari and Priyanka Devi @ Priyanka Kumari be released on anticipatory bail in the event of their arrest or surrender before



the court below within a period of six weeks from today on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri V.K.Singh, Judicial Magistrate, Sikrahan at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 58 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. So far as petitioner no.1, namely, Ramayodhya Rai @ Yodha Rai and petitioner no.2, namely, Manish Kumar is concerned, there is direct allegation against them and it is not possible to dispose of the dead body by a single person, so I am not inclined to grant anticipatory bail to the petitioners.

9. Prayer for anticipatory bail of petitioner no.1 and petitioner no.2 is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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