

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.78136 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- SHAMBHUGANJ District- Banka

Raghuvir Ray @ Raghuvir Ram @ Raghubir Ram S/o Amin Ray @ Amin
Ram R/o vill - Khazuri (Ramchua), P.S. - Shambhuganj, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 02-12-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Shambhuganj Police Station Case No. 123 of 2024,
dated 03.05.2024, disclosing offences punishable under
Sections 302/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report,
is that the informant's sister, namely, Anjali Kumari (now,
deceased) was married to co-accused Munna Ram about
ten years ago. After the marriage, the deceased gave birth
to two daughters and two sons. After sometime, the
husband of the deceased used to assault her and the
petitioner, who is the elder brother of the husband of the



deceased, along with his mother, used to support the co-accused Munna Ram. On 02.05.2024, in the night, the husband of the deceased, Munna Ram, assaulted her with lathi and danda, due to which she died.

4. Learned Counsel for the petitioner submits that the petitioner is the elder brother of the husband of the deceased and is residing separately. However, the allegation in the First Information Report is that on the date of occurrence, i.e. 02.05.2024, the husband of the deceased assaulted her with lathi and danda, leading to her death. There is no overt act alleged against the petitioner in the First Information Report.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation and the fact that there is specific allegation of assault against the husband of the deceased, namely, Munna Ram, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing



bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Shambhuganj Police Station Case No. 123 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

