

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82121 of 2023

Arising Out of PS. Case No.-294 Year-2020 Thana- DHORAIYA District- Banka

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1. Mukesh Kumar Rai @ Mukesh Rai Son Of Santosh Rai R/O Village-Shashan, P.S.- Dhoraiya, Dist.- Banka
 2. Shravan Kumar Rai @ Shrawan Rai Son Of Santosh Rai R/O Village-Shashan, P.S.- Dhoraiya, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Section 302/34 of the Indian Penal Code.

3. As per the prosecution case, these petitioners are suspected to be involved in the murder of sister of the informant.

4. It is submitted on behalf of petitioners that petitioner no. 1 is *Bhaisur* and petitioner no. 2 is *Devar* of the deceased and only on suspicion, they have been made accused in this case. They are separate in mess & property and have got



no concern with the family affairs of deceased. It is further submitted that deceased had 3 children and she was leading a very good conjugal life, but unfortunately after the death of her husband, the deceased was in depression and under this stage, she herself committed suicide by consuming some poisonous substance. It is next submitted that informant was also informed in this regard by one brother-in-law of deceased. There was no prior complaint against any of the accused persons. In the *post-mortem* report also, the doctor has clearly stated that the deceased died due to poisoning. There is no eye-witness to the occurrence. Save & except suspicion, there is no other material against petitioners to show their complicity in the alleged incident. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners 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 learned Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 294 of 2020 (G.R. No. 3354 of 2020),



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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