

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85497 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- NAYAGAON District- Begusarai

1. Jeevan Rajak @ Ramjivan Rajak Son Of Baso Rajak Resident Of Village Dariyapur Ps Nayagaon District Begusarai
2. Sanju Devi @ Anju Devi Wife Of Jeevan Rajak @ Ramjivan Rajak Resident Of Village Dariyapur Ps Nayagaon District Begusarai
3. Bijay Rajak Son Of Jeevan Rakak @ Ramjivan Rajak Resident Of Village Dariyapur Ps Nayagaon District Begusarai
4. Ajay Rajak Son Of Jeevan Rajak @ Ramjivan Rajak Resident Of Village Dariyapur Ps Nayagaon District Begusarai
5. Sujeet Rajak @ Sujeet Kumar Son Of Jeevan Rajak @ Ramjivan Rajak Resident Of Village Dariyapur Ps Nayagaon District Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 14-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Nayagaon P.S. Case No. 37 of 2023 instituted for the offences under Sections 302, 304B, 201, 120B/34 of the Indian Penal Code.

3. The allegation against the petitioners along with others is of killing the daughter of the informant due to non-fulfillment of further dowry demand.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted by learned counsel for the petitioners that there is general and omnibus allegation against the petitioners and no specific overt act alleged against them except petitioner no. 1, namely, Jeevan Rajak @ Ramjivan Rajak. He further submitted that the husband of the deceased is languishing in judicial custody. Moreover, the petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail and submitted that there is specific allegation of killing to the deceased against petitioner no.1, namely, Jeevan Rajak @ Ramjivan Rajak.

6. Considering the aforesaid facts and circumstances of the case, there is no specific allegation against the petitioner nos. 2 to 5, let the petitioner nos. 2 to 5, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Nayagaon P.S. Case No. 37 of 2023, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

7. So far as petitioner no. 1, namely, Jeevan Rajak @ Ramjivan Rajak is concerned, there is specific allegation against him, hence, this Court is not inclined to grant anticipatory bail to the petitioner no. 1.

8. Accordingly, the prayer is rejected.

(Rudra Prakash Mishra, J)

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