

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2888 of 2024

Arising Out of PS. Case No.-152 Year-2020 Thana- BACHHWARA District- Begusarai

1. Ramekbal Rai @ Ramekbal Son Of Late Suraj Rai Resident Of Village- Chamtha Chakki, Ward No. 3 Ps- Bachhwara, Distt- Begusarai
2. Anita Devi @ Kavita Devi @ Kabita Devi Wife Of Ramekbal Rai @ Ramekbal Resident Of Village- Chamtha Chakki, Ward No. 3 PS- Bachhwara, Distt- Begusarai
3. Rahul Kumar Son Of Ramekbal Rai @ Ramekbal Resident Of Village- Chamtha Chakki, Ward No. 3 PS- Bachhwara, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Sandip Kumar Gautam, Advocate
For the State : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-03-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 304B, 498A and 34 of the Indian Penal Code.

3. It is a case of “dowry death”.

4. It is submitted by learned counsel for the petitioners that Petitioner No. 1 is *Bhaisur*, Petitioner No. 2 is *Gotni* and Petitioner No. 3 is nephew of the deceased. There is general and omnibus allegation of torture and harassment against the petitioners and no specific allegation of overt act has been alleged against these petitioners and they are separate in mess &



property and have got no concern with the affairs of the deceased and her husband. It is next submitted that informant is not an eye witness of the alleged occurrence and merely because the petitioners happen to be relatives of husband of the deceased, they have falsely been made an accused in this case. It is further submitted that similarly situated co-accused, namely *Sima Devi*, has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 20.06.2022 passed in Cr. Misc. No. 27765 of 2021.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and claim based on parity, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, 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, Begusarai, in connection with Bachhwara P.S. Case No. 152 of 2020, subject to condition as laid down under



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

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

