

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37012 of 2015

Arising Out of PS.Case No. -352 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Devendra Rai, son of late Dhanpat Rai, resident of Mohadipur, P.S.-
Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Smt. Sahin Begam(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 302, 120B/34 of the Indian Penal Code.

It is alleged by the informant (Banarsi Devi) that
her daughter Geeta Devi was married with Devendra Rai about 20
years ago and she was blessed with two daughters and two sons.
On 2.11.2014 in the morning at 6 A.M. she received information
that her daughter was killed and she was hanged with Sari. On
such information she along with her family members reached at
the Sasural of her daughter and the villagers told that the
occurrence of killing was taken place on 1.11.2014 and the police
was informed and the dead body was recovered. The accused
persons were not there. The informant claimed that the husband
of the deceased and her in-laws have committed the murder of her
daughter.

It has been submitted on behalf of the petitioner
that the petitioner is in custody since 23.06.2015. Charge sheet has

been submitted in this case. The petitioner has been made accused in this case due to mistake of fact. In para 56 of the case diary, the Statement of the son of the informant has been recorded where he has stated that her mother was in illicit relation with Amarjeet Singh @ Tufani and when his father came to know then there was some dispute and due to this the deceased had committed suicide. Same fact has also come in paras 54 and 55 of the case diary where independent witnesses have been examined. Admittedly, the alleged occurrence is said to have taken place after 20 years of marriage.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the facts aforesaid, let above named petitioner 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 C.J.M., Vaishali in Bidupur P.S.Case No. 352 of 2014.

(Sudhir Singh, J)

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