

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47885 of 2015

Arising Out of PS.Case No. -92 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

=====

1. Rambrichh Choudhary, Son of Late Bigan Choudhary, R/o Village- Mai Khurd, P.O. - Pogar, P.S. - Rafiganj, District - Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Anil Kumar(APP)

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

3 30-11-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Rambrichh Choudhary, in connection with Rafiganj Police Station Case No. 92 of 2015, under Sections 304B of the Indian Penal Code and 3/4 of D.P. Act.

Perused the above application and materials on record including the case diary.

Heard Mr. Dhirendra Kumar Sinha, learned Counsel for the petitioner, and Mr. Anil Kumar, learned Additional Public Prosecutor, appearing on behalf of the State.

There are specific incriminating materials against accused Anup Choudhary, who is the husband of the deceased, as regards assaulting the deceased and also raising demand for dowry. There is no such specific incriminating material against



the accused petitioner in the statement of the informant, who is the mother of the deceased. This apart, the accused above-named has been in custody since 24.08.2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj Police Station Case No. 92 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions,

this bail application shall stand disposed of.

Let the case diary be returned to the court below

concerned.

(I.A. Ansari, ACJ)

K.C.jha/-

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