

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49738 of 2015

Arising Out of PS.Case No. -154 Year- 2014 Thana -PAROO District- MUZAFFARPUR

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1. Raj Kumar Rai Son of Ramchandra Rai Resident of Village - Sohagpur,
P.S.- Paroo, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Paroo
P.S. Case No. 154 of 2014 registered for the offence punishable
under Sections 302/34 of the Indian Penal Code.

Allegedly, Aarti Devi the daughter of the informant
married with the petitioner was allegedly burnt to death by the
petitioner and other co-accused.

Submission is of false implication and that the wife of
the petitioner was a dull lady and was mentally depressed. During
investigation the case has not been found true under Sections
302/34 of the Indian Penal Code and after completing
investigation chargesheet has been submitted under Section 306 of
the Indian Penal Code only against the petitioner and against

other co-accused final form has been submitted. The petitioner is suffering in custody since 22.08.2015 after his surrender and there is no chance of tampering with prosecution evidence.

Learned APP fairly submits that offence under Section 302 IPC has not been found true and chargesheet has been submitted under Section 306 of the Indian Penal Code.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur in connection with Paroo P.S. Case No. 154 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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