

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51984 of 2015

Arising Out of PS.Case No. -222 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Guddu Rai son of Sita Ram Rai, resident of village- Singhen, P.S.- Belsar
O.P. (Vaishali), District- Vaishali at Hajipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Dilip Rai, Son of Rajendra Rai, resident of village- Chintamanpur, P.S.-
Belsar O.P. (Vaishali), District- Vaishali at Hajipur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Dr.Kr.Uday Pratap(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 18-12-2015 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner, who is husband of informant's daughter, Baby Devi apprehends his arrest in connection with Vaishali P. S. Case No. 222 of 2014 registered for offences punishable under Sections 304(B)/34 of the Indian Penal Code.

The prosecution case is that the informant's daughter, namely, Baby Devi was married with the petitioner Guddu Rai two years ago and she was blessed with a son. Thereafter, the Son-in-law of informant pressurized to transfer the ancestral land in his name and due to non fulfillment of the demand of dowry, she was subjected to torture and cruelty in

various ways.

It is further alleged that the informant on 09.08.2014 had gone on call of nature and saw that some persons were assaulting a lady and after assaulting they threw her in paddy field. The informant identified his daughter and also identified the persons, who were assaulting her. He brought his daughter at P.H.C. and from there, she was referred to P.M.C.H. but during course of treatment, she died.

It has been submitted by the learned counsel for the petitioner that all the other co-accused persons have since been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 18337 of 2015.

It has further been submitted that the informant's daughter, Baby Devi died due to illness and there is no complicity of the petitioner in the death of his wife, Baby Devi.

Furthermore, it is submitted that a compromise has taken place between the informant and the accused that the aforesaid case has been instituted on the wrong notion and the informant does not want to pursue the matter.

Learned counsel for the informant does not oppose the compromise, entered between the informant and the other accused persons.

Be that as it may, let the above named petitioner in the event of his arrest or surrender before the Court below within a period of six weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S.Case No. 222 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

(Nilu Agrawal, J)

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