

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55707 of 2015

Arising Out of PS.Case No. -12 Year- 2014 Thana -DIGHWARA District- SARAN

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Rajesh Rai @ Rajesh Kumar Rai, s/o Rajdeo Rai, r/o Farhadda, P.S.
Dighwara, Distt- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Harsh Singh, Advocate.

For the Opposite Party : Mr. B.N.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 08-02-2016 Heard learned counsel for the petitioner and learned counsel
for the State.

Petitioner being the husband of the daughter of the
informant languishing in jail custody since 02.09.2014 under Sections
494, 498(A), 304(B), 201, 504 and 34 of the Indian Penal Code.

The prosecution case is that accusation against the petitioner
is of torture and killing of daughter of the informant after about three
years of marriage and performing second marriage.

It is submitted by learned counsel for the petitioner that the
victim was residing with the petitioner in Delhi. The victim went to join
her duty on 23.12.2013 but became traceless for which intimation was
given to the Goutam Budh Nagar, U.P. police station on 27.12.2013
whereas the present complaint was filed on 04.01.2014. On conclusion
of investigation charge sheet has been submitted under Section 364 of

the Indian Penal Code. It is further submitted that moreover other accused persons have been granted anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 42484 of 2014.

It is submitted by learned counsel for the State that though the charge sheet has been submitted under Section 364 of the Indian Penal Code, but the I.O. has conducted the investigation in perfunctory manner as there is accusation that the petitioner performed second marriage but the charge sheet has not been submitted under Section 494 of the Indian Penal Code.

Considering the facts that the investigation has concluded and the co-accused has been granted anticipatory bail by a coordinate Bench of this Court, let the petitioner above named, 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 the learned Additional Sessions Judge XI, Chapra, Saran in connection with Sessions Trial No. 608 of 2014, arising out of Dighwara P.S. Case No. 12 of 2014.

(Dinesh Kumar Singh, J.)

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