

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38410 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -AMNAUR District- SARAN

=====

Rabindra Rai @ Nagendra Rai S/o Bhikhari Rai resident of village -
Pakaridih, P.S. Amnour, Distt - Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Vijay Kumar, Advocate.

For the Opposite Party/s : Mr. Khurshid Anwar, AP.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 22-11-2016

Heard both sides

The petitioner seeks bail in Amnour P.S. Case No.
104 of 2015 registered under Sections 304(B), 34 of the Indian
Penal Code.

Chawkidar Sheopujan Rai is the informant of the
case. The informant alleged that he husband and other family
members of Puja Devi killed her by hanging and they were trying
to conceal the dead body. The informant further alleged that
Rabindra Rai (the petitioner) solemnized love marriage with Puja
Devi but immediately after marriage, the petitioner and other
family members of the petitioner were subjecting Puja Devi to
different sorts of torture due to non-fulfillment of additional
demand of dowry.

Learned counsel for the petitioner submits that the

informant is a Chawkidar. The petitioner was working in some factory in Delhi for last two months. The deceased herself committed suicide. The petitioner never demanded any dowry. On the other hand, learned A.P.P. opposed the prayer for bail.

It appears that the informant Chawkidar has made specific allegation against the petitioner. During the course of investigation, Ramjhari Kunwar and Mokhtar Rai (the father of the deceased) have stated that the petitioner and his family members killed the deceased. From perusal of the post mortem report, it appears that as many as six injuries were found on the person of the deceased. There was ligature mark all around the neck. The tongue was protruded. There were bruise and swelling on the right side of the forehead of the deceased and abrasion on the right cheek. It appears that the deceased was assaulted before being strangled to death.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail in Amnour P.S. Case No. 104 of 2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Dilip/-

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