

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9926 of 2016

Arising Out of PS.Case No. -196 Year- 2012 Thana -RUNISAIDPUR District- SITAMARHI

=====

1. Ajay Rai Son of Prem Lal Rai R/o village - Rupauli, P.S. Runisaidpur,
District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha (App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 09-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Runnisaidpur P.S. Case No. 196 of 2012 registered for the
offences punishable under Sections 304(B) and 201/34 of the
Indian Penal Code.

Dolly @ Swati Devi was married to the petitioner three
years ago and allegedly, due to non-fulfillment of demand of
dowry by way of motorcycle and cash of Rs. 50,000/- to do
business, she was being tortured by the petitioner and other in-
laws and ultimately, she was burnt after sprinkling petrol and was
brought at SKMCH, Muzaffarpur for treatment where the

informant went and the doctor said that she is burnt 90%. During treatment, Basmatiya Devi the cousin sister of the petitioner pulled out the needle from the vein of the daughter of the informant, resulting she died. It is also alleged that his signature was obtained after keeping him in dark in the hospital.

Submission is of false implication and that the wife of the petitioner received burn injury in accidental fire, she was brought for treatment by the petitioner and his family members and the informant was informed. U.D. Case No. 08 of 2012 dated 23.05.2012 was registered on the statement of the petitioner wherein, the informant also signed but thereafter, only with a view to extract money, the informant got typed a petition dated 25.05.2012 and filed before the S.P., Sitamarhi 05.06.2012 after long lapse of time. During investigation, the witnesses have supported the statement as made in U.D. case and, as such, the petitioner who is suffering in custody since 01.02.2016 deserves sympathetic consideration. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that earlier U.D. case was registered.

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 CJM, Sitamarhi in connection with Runnisaidpur P.S. Case No. 196 of 2012 subject to the conditions that one of the bailors must be 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.

(Jitendra Mohan Sharma, J)

sushma/-

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