

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18368 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -AWTARNAGAR District- SARAN

- =====
1. Ram Babu Rai S/o late Vishawanath Rai
 2. Rahul Rai@Rahul Kumar S/o Ram Babu Rai Both are resident of Village- Ramgaraha, P.s Awatar Nagar, District saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari , APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-06-2016 The petitioner No. 2 has already been allowed bail by order dated 05.05.2016 passed in this Criminal Miscellaneous and as such this order relates to the petitioner No. 1.

Heard the learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Avatar Nagar P.S. Case No. 99 of 2015 registered for the offence punishable under Section 304(B)/ 34 of the Indian Penal Code.

Rani Devi, the niece of the informant, was married to Ramesh Rai, the son of the petitioner No. 1 and allegedly, due to non fulfillment of demand of motor-cycle and cash, she was being tortured for which earlier Panchayati was done, after birth

of a boy ten days ago Ramesh Rai brought the niece of the informant and again demanded motor-cycle and cash. Ultimately, she was strangled to death by the petitioner and other in-laws.

Submission is of false implication and that the petitioner is an old man and he has got no concern with the family affair of the deceased and her husband, there is specific allegation against the husband that 10 days prior to death of the deceased, it was husband of the deceased who made demand of motor-cycle and cash, similarly situated co-accused Uma Devi has already been allowed bail and further, the petitioner No. 2 has also been allowed bail by order dated 05.05.2016, charge-sheet has already been submitted, there is no chance of tampering with the prosecution evidence and the husband is already in custody.

The learned A.P.P. fairly submits that mother-in-law and Dewar are on bail.

In the facts and circumstances stated above, the petitioner No. 1, Ram Babu Rai, who is the father-in-law, is also 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 Chief Judicial Magistrate,

Chapra, in connection with Avatar Nagar P.S. Case No. 99 of 2015, 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.

ajaypd./-

(Jitendra Mohan Sharma, J)

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