

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23682 of 2016

Arising Out of PS.Case No. -173 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Raju Das son of Ganesh Das resident of village - Koiria Tola, Raxaul,
Ward No, 24, P.S. Raxaul, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. P.K.Panday(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

8 18-11-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under

Sections-302/34 of the Indian Penal Code and 3/4 of D.P. Act.

Petitioner happens to be husband of the deceased and

it is an admitted case of the prosecution that the marriage of the

deceased had taken place with the petitioner ten years back and

after marriage, the deceased had given birth to two children out of

the aforesaid wedlock. The informant claims that the deceased was

burnt to death by the petitioner and his other family members due

to non-fulfillment of dowry demand but submission on behalf of

the petitioner is that prior to death of the deceased, neither the

deceased nor the informant had made any complaint of illegal demand before any competent authority. It is further submitted that as a matter of fact, the deceased was caught in fire accidentally and she was immediately taken to hospital but she could not be saved. It was further submitted that the petitioner is languishing in jail custody since 10-08-2015 and uptill now, not a single prosecution witness could be examined.

Considering the above-said facts and circumstances of the case as well as period of detention of the petitioner in jail custody, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Raxaul P.S. Case No. 173 of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul, Motohari, East Champaran.

(Hemant Kumar Srivastava, J)

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