

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52913 of 2015

Arising Out of PS.Case No. -95 Year- 2013 Thana -PARSA District- SARAN

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Bhushan Rai Son of Sri Shivrath Rai, Resident of Village : Baligaon, P.S.
Parsa, District : Saran at Chapra.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Pandey, Advocate

For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-02-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences punishable under sections 304(B)/201 and 34 of the Indian Penal Code.

Deorati Devi, the niece of the informant was married to Mithilesh Rai in the month of May,2009, but due to non-fulfillment of demand of motorcycle, she was being assaulted and tortured by the husband, in-laws and ultimately, she was killed by them including the petitioner being relative of the husband of the deceased.

Submission is of false implication and that the petitioner is living separately since long in another village having

no concern with the family affair of the deceased and her husband, in this case, other co-accused Jay Ram Kumar @ Jay Ram Ray has already been allowed regular bail and further other co-accused has been allowed pre-arrest bail and, as such, the petitioner, who is suffering in custody since 3.9.2015, deserves sympathetic consideration to which the learned A.P.P. fairly submits that other co-accused have been allowed bail.

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 Sri Vivek Rai, Judicial Magistrate 1st Class, Saran at Chapra in connection with Parsa P.S. Case No.95 of 2013, 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)

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