

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10504 of 2016

Arising Out of PS.Case No. -277 Year- 2015 Thana -SONEPUR District- SARAN

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Rakesh Kumar Rai @ Rakesh Rai Son of Baliram Rai, resident of Village
Chausiya Police- Station Sonepur, District Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Najmul Hoda, Advocate

For the Opposite Party/s : Mr. S.M.Rahman(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 19-05-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner, being husband, apprehends arrest in
connection with Sonepur P.S. Case No. 277/15 for offences
alleged under Sections 304-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the
informant, is that on 12.07.2015 he received information by
mobile that his daughter has been burned sprinkling kerosene
oil on her body by her in-laws and her dead body has also been
disposed off. On such information, informant went to sasural of
his daughter and found none in the house and the house was
locked. After search dead body of his daughter was recovered
from a bamboo clump situated in Naya Tola Chaukia.



It has been submitted by the learned counsel for the petitioner that he is innocent having committed no offence, there is no eye-witness to the alleged occurrence and all the independent witnesses, who are neighbours, have stated that while the deceased was making food the stove burst and she received burn injuries for which she was taken to hospital by the petitioner and his family members where she died. He further submits that the informant has entered into a compromise stating therein that his daughter was of unsound mind.

Learned APP for the State submits that though the independent witnesses have not supported the case of the prosecution but the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the petitioner has been implicated on the basis of suspicion, there being a compromise and the independent witnesses having not supported the prosecution case, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Saran

at Chapra in connection with Sonapur P.S. Case No. 277/15,
subject to the conditions as laid down under Section 438(2)
Cr.P.C.

Rajesh/-

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(Nilu Agrawal, J.)