

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4160 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -JALE District- DARBHANGA

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Rajesh Jha son of Sri Indra Kant Jha, resident of Village- Narouchh Dham,
P.S.- Jalley, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Pronati Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 30-01-2016

Heard learned counsels for the petitioner and

the State.

The petitioner being the husband of the victim is languishing in custody since 21.03.2015 in a case registered for the offences punishable under Sections 302, 201 and 498A/34 of the Indian Penal Code.

The prosecution case is of killing the daughter of the informant after ten years of the marriage for non-fulfillment of the demand dowry by causing burn injury and disposing of the dead body.

It is submitted by learned counsel for the petitioner that admittedly the informant is not the eye witness to the occurrence. The impugned order also does not suggest any material collected to suggest that the petitioner actually killed the

victim. The victim died on 20.03.2015 and the FIR was registered on the same day which reached to the learned court below 22.03.2015 which suggests that by antedating the case has been lodged when the petitioner was arrested on 21.03.2015. The victim died due to the snake bite and the family members of the victim was informed. It is further submitted that the investigation has already concluded.

Considering the fact that the death has occurred after more than ten years of the marriage and the investigation has already concluded, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Darbhanga in connection with Sessions Trial No. 353 of 2015 arising out of Jalley P.S. Case No. 45 of 2015.

The learned trial court will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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