

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36186 of 2016

Arising Out of PS.Case No. -155 Year- 2008 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

=====

Rabindra Rai @ Rabindra Ram Son of Shri Ram Bilash Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dr. Indivar Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 21-10-2016

Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since
11.04.2016 in a case registered for the offences punishable under
sections 498A, 304B, 201/120B of the Indian Penal Code.

The prosecution case is that the informant
performed the marriage of his daughter with the petitioner in
2001 but after marriage further dowry demand of T.V. and
motorcycle was made and for non-fulfillment of the same the
threatening was given. Ultimately, the daughter of the informant
was killed on 18.10.2003.

It is submitted by learned counsel for the petitioner
that the victim was suffering from ailment and died due to
serious jaundice and subsequently dead body was disposed of in



presence of the informant. As per own admission of the informant he received information about the death on 01.11.2003 but filed the present complaint 30.06.2005 which ultimately came to register as police case on 26.12.2008. Moreover, the investigation has already concluded. Since the petitioner was not aware about filing of the case hence, he preferred anticipatory bail in 2016. It is further submitted that the petitioner will regularly appear during trial.

It is submitted by Mr. Uma Shankar Prasad Singh, learned counsel for the State, after going through the case diary that the witnesses have suggested that the victim was suffering from ailment and was allowed to be treated by an exorcist but the dead body was hurriedly disposed of.

Considering the delayed lodging of the complaint and during investigation no direct material has been collected about killing of the victim, moreover, the investigation has already concluded, let the above named petitioner 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 SDJM, Sikarahana, Dhaka, East Champaran at Motihari, in connection with Dhaka P.S. Case No.155/2008.

However, the learned court below will be at liberty

to cancel the bail bonds of the petitioner, if he defaults for three consecutive occasions.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--