

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23152 of 2016

Arising Out of PS.Case No. -325 Year- 2013 Thana -BOCHHA District- MUZAFFARPUR

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1. Bans Lal Rai, Son of Late Dahu Rai, Resident of Village- Tamoliya, P.S.
Bochha, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 12-07-2016

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and is languishing in jail custody since 29-03-2016 in a case registered under Sections-304(B), 201, 120(B)/34 of the Indian Penal Code.

The present case was registered on the basis of complaint petition, filed by the informant on 17-06-2013. The informant claims in his complaint petition that marriage of the deceased had taken place six years ago but due to non-fulfillment of illegal demand, she was killed by the petitioner and other accused on 11-06-2013 and the aforesaid information was received to him on 14-06-2013.

Learned counsel, appearing for the petitioner drew my attention towards Annexure-2 to this petition, which is a registered sale deed, executed by the petitioner in favour of his son namely, Hare Ram Kumar aged about 6 years and in the aforesaid sale

deed, the informant of the present case has been shown as guardian of above-said minor. The above-said sale deed was executed on 13-06-2013.

Submission on behalf of petitioner is that as a matter of fact, the deceased was pregnant and she died due to pregnancy and in presence of informant, her dead body was cremated but subsequently, the informant put pressure upon the petitioner to transfer some land in favour of his minor son and accordingly, the sale deed was executed on 13-06-2013 but even then, the informant lodged the present case on 17-06-2013 and in the said case, he claimed that he came to know about the death of the deceased on 14-06-2013, which is falsified from perusal of the sale deed executed by the petitioner in favour of his minor son.

Considering the above-said facts and circumstances of the case as well as submission of the parties, 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 Trial No. 777 of 2016 arising out of Bochaha P.S. Case No. 325 of 2013 to the satisfaction of learned Sub Judge-VIII-cum-ACJM, Muzaffarpur.

(Hemant Kumar Srivastava, J)

A.K.V./-

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