

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47530 of 2016

Arising Out of PS.Case No. -179 Year- 2016 Thana -BARHARA District- BHOJPUR

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1. Raju Gupta @ Raju Prasad S/o Ashok Sah R/o Village- Nathwalpur,
P.S.- Barhara, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kalyan Shankar

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 08-02-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections-498A/307/34 of the Indian Penal Code in which, later on
Section-302 of the Indian Penal Code was also added.

The allegation against the petitioner is that the
informant's sister was married with the petitioner and from the
wedlock; the sister of the informant gave birth of three children.
Thereafter, the sister of the informant was allegedly used to be
tortured and ultimately, she was done to death by her in-laws by
burning.

It is submitted that no case u/S 302 of the Indian Penal
Code is made out rather a case u/S 304 of the Indian Penal Code is



attracted against the petitioner.

Learned Addl. Public Prosecutor opposed the prayer, submitting that the petitioner is husband of the deceased and he is responsible to take care of his wife i.e. the deceased.

Taking into consideration the above-said facts and circumstances of the case as well as submission of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Barhara P.S. Case No. 179 of 2016 stands rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

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