

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25960 of 2017

Arising Out of PS.Case No. -80 Year- 2016 Thana -PARSA District- SARAN

=====

1. Santosh Rai son of Ganesh Rai Resident of village - Bankerwa, P.S. - Parsa, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Smt. Madhuri Lata

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 02-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 28.02.2017 in connection with Parsa P.S. Case No. 80/2016 for offences punishable under Sections 304-B, 201, 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that her daughter Indu Devi was married with the petitioner in March 2012 according to Hindu rites and rituals. The petitioner and in-laws of the deceased always used to demand motorcycle and Rs. 2 lakhs and for non-fulfillment of demand of dowry they have killed her daughter and thrown her dead body.



It has been submitted by the learned counsel for the petitioner that he is innocent, has falsely been implicated in the aforesaid case, general and omnibus allegations have been levelled against him, that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. He further submits that the informant has filed a compromise petition before the learned court below stating therein that her daughter died of diarrhoea and the petitioner or his family members were not involved in the commission of crime.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner along with his family members have killed the daughter of the informant and thrown her body into the Gandak river and her dead body has not yet been recovered.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of one year in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Rakesh Kumar Yadav, learned Judicial Magistrate 1st Class, Saran at Chapra, in connection with Parsa P.S. Case No. 80/2016, subject to the condition that both the



bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating their relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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

