

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42205 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -BELA District- SITAMARHI

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Devendra Rai, Son of Deyali Rai, R/o Village- Diyahi, P.S.- Bela, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bela P.S. Case No.39 of 2017 registered under Sections 304(B)/34 of the Indian Penal Code.

The accusation is of killing the deceased, the daughter of the informant, by her husband and other in-laws for non fulfillment of the dowry demand by tying her neck.

Learned counsel appearing on behalf of the petitioner submits that the petitioner happens to be the father-in-law of the deceased, the daughter of the informant, and he has falsely been implicated in this case. In fact, the deceased, the daughter of the informant, was mentally disordered and due to that reason, she committed suicide by hanging



herself. In the post-mortem report of the deceased, the daughter of the informant, cause of her death was found due to asphyxia leading to CR failure as a result of hanging, produced by rope like substance. Further submission is that while the informant has lodged this case with the allegation against the petitioner and others to cause the death of his daughter by tying her neck but, later on, the informant on knowing the real facts filed an application before the Sub Divisional Judicial Magistrate, Sitamarhi, on 25.07.2017 stating therein that his daughter was mentally disordered and due to that reason, she committed suicide by hanging herself and he alongwith his family members had also participated in the funeral ceremony of his daughter.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Bela P.S. Case No.39 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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