

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14117 of 2017

Arising Out of PS.Case No. -391 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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Dhupan Rai @ Bhupan Rai son of Roop Lal Rai, R/o village- Rauja
Pokhra, P.S.- Chapra Town, District- Saran at Chapra.... Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 23-05-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Chapra
Town P.S. Case No. 391 of 2016 registered for the offences
punishable under Sections 498A, 307/34 of the Indian Penal Code
in which Section 304B IPC was added later on.

Pushpa Devi, the daughter of the informant, was married
to the petitioner in the year 2009 and allegedly, after some months
of the marriage all the accused persons including the petitioner
started demanding Rs. 2 lakhs from the daughter of the informant
and due to non-fulfillment she was being tortured and assaulted.
The informant and others tried to settle the dispute but all goes in
vain and ultimately the daughter of the informant was burnt and
in serious condition she was being treated in Chapra Sadar
Hospital from where she was referred to P.M.C.H. where during



treatment she died.

Submission is of false implication and that there was cordial relation between the petitioner and wife, as a matter of fact when the wife of the petitioner was preparing meal due to accident she received burn injury. The petitioner and his family members brought her for treatment. The petitioner was all along present in her treatment, the petitioner tried his best to save her but in vain and as such the petitioner deserves sympathetic consideration. The informant after realizing the truth has filed compromise petition in the court below.

Learned APP submits that now the informant is retracting from his earlier version.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 391 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on



his part without any reason shall disentitle the petitioner from
privilege of bail.

avin/-

(Jitendra Mohan Sharma, J)

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