

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2860 of 2018

Arising Out of PS.Case No. -167 Year- 2017 Thana -RIVILGANJ District- SARAN

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Harendra Rai S/o Ramjatan Rai, R/o Village- Revelganj Thakurbari, P.S.-
Revelganj, District- Saran (Chapra).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
09.08.2017 in connection with Revelganj P.S. Case No. 167 of
2017 for offences punishable under Sections 304(B)/34 of the
Indian Penal Code although charge-sheet has been submitted
under Section 306/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter was married to the petitioner in the year 2012
and has two issues out of the wedlock. The informant's daughter
was harassed for non-fulfillment of demand of motorcycle and has
been killed by the petitioner and in-laws and cremated the dead



body.

It has been submitted by the learned counsel for the petitioner that he is innocent and just because he is the husband of the victim deceased lady, he has been made accused. He submits that the informant's daughter has committed suicide as revealed by the independent witnesses as the younger brother of the petitioner had married the deceased's younger sister and living separately for which the deceased mother with a cousin uncle had come on the fateful day and abused the petitioner's family. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-8th, Chapra, District-Saran bearing U.T. No. 209 of 2017 in connection with Revelganj P.S. Case No. 167 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the



petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

- (2) 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)

Devendra/-

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