

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20024 of 2018

Arising Out of PS. Case No.-592 Year-2017 Thana- GHORASAHAN District- East
Champaran

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Rupesh Rai @ Rupesh Kumar S/o Mahadev Rai, R/o Village- Mathiya
Bhopat, P.S.- Lakhaura, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sri Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 10-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 498A, 201, 120B, 304B, 34 of the
Indian Penal Code.

Allegation against the petitioner is of committing
torture, assault and thereafter committed murder of the victim
due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.12.2017 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner has been made



accused due to mistake of fact which is evident from Annexure-2 to the present application by which the informant has filed an affidavit before the Court below stating the fact that the case was instituted due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Ghorasahan (Lakhaura) P.S. Case No. 592 of 2017.

(Sudhir Singh, J)

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