

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25869 of 2018

Arising Out of PS. Case No.-216 Year-2017 Thana- BENIPATTI District- Madhubani

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Hari Narayan Rai @ Roshan Rai S/o Suresh Rai, R/o Vill.- Damu, P.S.-
Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 18-07-2018 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, 304B, 201/34 of the Indian Penal
Code.

Allegation against the petitioner is of committing
torture upon 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 18.12.2017 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. From perusal of paragraph 88 of



the case diary, it is evident that it is a case under Section 306 IPC. No offence under section 304B IPC is made out. The post mortem report also supports the contention of suicide being committed by the deceased.

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 learned A.C.J.M. Benipatti in connection with Benipatti P.S. Case No. 216 of 2017.

(Sudhir Singh, J)

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