

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55395 of 2018

Arising Out of PS.Case No. -136 Year- 2017 Thana -JOGBANI District- ARRARIA

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Dinesh Rajbhar, Son of Late Budhu Rajbhar, Resident of Village- Bheryari
Maheshwari Ward No.19, P.S.- Jogbani, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha, Advocate.

For the Opposite Party/s : Mr. Shailendra Kumar -1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-10-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Jogbani P.S. Case No.
136 of 2017 instituted for the offence under Sections 498A, 304B
and 201/34 of Indian Penal Code.

Petitioner is husband of daughter of the informant.

In the written report it is alleged that daughter of the
informant was married with this petitioner. She was tortured in her
sasural for non-fulfillment of demand of dowry. The informant
learnt that his daughter has been killed and her dead body has been
disposed off. The informant after getting information about death
of his daughter, went to her *sasural* and learnt that his daughter
had fled away. The neighbouring people told that his daughter has
been killed and her dead body has been disposed off. The



informant could not get trace of his daughter.

Report with regard to present stage of the case was called for from the court below which has been received. The court below has mentioned in the report that earlier charge sheet has been submitted against the petitioner for the offence under Sections 498A and 363 of the Indian Penal Code. Cognizance has been taken on 7.11.2017 and charge has been framed under Section 498A and 363 of the Indian Penal Code on 17.03.2018. The case has been posted for evidence. Thereafter, during investigation, the dead body of the deceased was identified by photo of dead body which was shared on a Whatsapp group. The police has filed supplementary charge sheet for the offence under Sections 304B, 201 and 498A of the Indian Penal Code. Thereafter, petition under Section 323 Cr. P.C. has been filed in the court below to commit the case to the court of Session, and the case at present is running for hearing on the aforesaid petition.

Petitioner is said to be in custody since 4.9.2017

Keeping in view the period spent by the petitioner in custody, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released 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-I, Araria, in connection with Jogbani P.S. Case No. 136 of 2017, subject to the condition that both the bailors will be close relatives of the petitioner.

The petitioner will cooperate in conclusion of the trial. He will remain present on each and every date of trial till disposal of the case. He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. In the event of default of two consecutive dates without valid reason, his bail bonds will liable to be cancelled.

S.Ali/-

(Sanjay Priya, J)

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