

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27510 of 2018

Arising Out of PS. Case No.-445 Year-2017 Thana- MANER District- Patna

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Dinesh Rai S/o Mahadeo Rai, R/o Vill.- Brahamchari (Shankarpur), P.S.-
Maner, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1
For the Opposite Party/s : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-06-2018 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 and 302/34 of the Indian Penal
Code.

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

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 19.9.2017 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. The independent witnesses in



paragraphs 25 and 34 of the case diary have categorically stated that the deceased was suffering from mental ailment for which she was being treated. It is further submitted that in her said mental condition, she went and committed suicide. Hence, no offence under Section 302 IPC is made out.

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 Additional Sessions Judge-VII, Danapur in connection with S.T. No. 133 of 2018 (arising out of Maner P.S. Case No. 445 of 2017).

(Sudhir Singh, J)

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