

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10045 of 2019

Arising Out of PS. Case No.-262 Year-2018 Thana- EKMA District- Saran

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Gautam Rai @ Gautam Yadav, aged about 60 years, Male, Son of Late Tulsi Rai, a Resident of village- mane, P.S.- Ekma, District- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2019 Heard leaned counsel for the petitioner and

learned APP for the State.

The petitioner, being the father of the husband of the victim, is languishing in custody since 23.10.2018 in a case registered for the offences punishable under Sections 498A and 302/34 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Chandeshwar Rai, recorded by A.S.I., Md. Belal posted at Ekma Police Station on 18.10.2018 at 6.00 P.M., is to the effect that the daughter of the informant Maharnuma Devi was married with Upendra Yadav in 2003. For ten years, after the marriage,



she was kept with dignity and honour, but thereafter, sister-in-law of the victim used to quarrel with her, due to which she used to come and reside at informant's house. On 16.10.2018, the son-in-law of the informant came to house of the informant and took the victim to in-law's house. It is further alleged that on 18.10.2018 at 5.00 P.M., the informant got the information that her daughter has been killed, thereafter the informant went to the in-law's house of the daughter and found her daughter dead.

It is submitted by learned counsel for the petitioner that there is no eye witness to the occurrence and in fact, the victim met with an accident, while she was crossing an open railway crossing, as a result, she died. It is further submitted that even assuming the accusation to be true, the thrust of accusation is against the husband of the victim. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner is named in the FIR.

Considering the fact that the thrust of accusation is against the husband of the victim, investigation being concluded and the impugned order does not suggest any direct evidence against the petitioner, let the above named petitioner 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 **ACJM-I, Chapra, Saran** in connection with **Ekma P.S. Case No.262 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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