

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20100 of 2019**

Arising Out of PS. Case No.-119 Year-2015 Thana- BHELDI District- Saran

MASTER RAI, Son of Shambhu Rai, Resident of Village - Gangoi, P.S.-
Bheldi , Distt - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Nityanand

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 02-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
09.10.2018 in a case registered for the offence punishable
under Sections 304(B) and 201 of the Indian Penal Code.

The prosecution case as per the written report of
Budhan Rai submitted to the S.H.O., Bheldi P.S. is to the effect
that on 11.06.2015, the daughter of the informant namely, Rina
Devi was married with the co-accused, Barrister Rai, the
brother of the petitioner. Thereafter, further dowry demand of a
gold chain, a colour TV and a motorcycle was made and due



to non-fulfillment of the same, torture has been inflicted upon the daughter of the informant. It is further alleged that on 21.07.2015, the informant came to know that all the FIR named accused persons including the petitioner, killed the daughter of the informant and her dead body was disposed of. Thereafter, the informant went to in-law house of his daughter but no one was found there.

It is submitted by learned counsel for the petitioner that the petitioner happens to be the brother of the husband of the victim and the thrust of accusation is against the husband of the victim. It is further submitted the petitioner claims to be separate from the husband of the victim and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petitioner 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 and investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petitioner that the petitioner is not having any criminal antecedent, 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 **Judicial Magistrate, Saran at Chapra** in connection with **Bheldi P.S. Case No.119 of 2015**.

Since the present case was registered on 21.07.2015 and the petitioner was surrender on 09.10.2018, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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