

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26501 of 2019

Arising Out of PS. Case No.-232 Year-2012 Thana- MANER District- Patna

Ram Karan Rai Son of Rameshwar Rai Resident of Village - Dumariya, P.s.-
Maner, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Rajiv Nayan (App 231)

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 24-07-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends his arrest in connection with
Maner P.S. Case No. 232 of 2012 registered for the offence
punishable under Sections 302, 201, 498(A)/ 34 of the Indian
Penal Code.

Petitioner, who happens to be husband of the
deceased is said to have strangled her to death and disposed of
her dead body over dowry demand in association of his family
members after thirteen years of the marriage.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
He neither made any demand nor ever eliminated the deceased.



Allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of six days in lodging the FIR without assigning any plausible explanation for the same. Other co-accused, namely, Kameshwar Rai and Meera Devi have been enlarged on bail by different co-ordinate Bench of this Court vide orders dated 12.08.2015 and 20.03.2014 passed in Cr. Misc. Nos. 28283 of 2015 and 2575 of 2014, respectively.

Per contra, learned APP for the State opposing the bail prayer of the petitioner submitted that the petitioner happens to be husband of the deceased and there is allegation of eliminating the deceased by strangulation and disposing of her dead body against the husband and other family members. As the petitioner happens to be husband, hence, entire liabilities to take care of the deceased is saddled upon the shoulder of the petitioner, hence, he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer is rejected.

However, petitioner is directed to surrender before the court below within six weeks and seeks regular bail and learned court below shall pass order in accordance with law



considering the facts and circumstances of the case without
being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

