

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28055 of 2019

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

Upendra Rai aged about 37 years male son of Gautam Rai a resident of
village Mane P.S. Ekma Dist. Saran. Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed this application for grant of bail in connection with Ekma P.S. Case No. 262 of 2018 registered for the offence punishable under section 498(A), 302 and 34 of the Indian Penal Code.

The allegation as per the fardbeyan is that the daughter of the informant was married to the petitioner in the year 2003. From the said marriage they had a son and a daughter. As per the informant the marriage went well for about 10 years and thereafter it is stated that there used to be some altercation between the deceased and her sister-in-law(gotni). It is stated that on 18.10.2018 the informant received information about the death of his daughter and on going to his daughter's Sasural, he



was told by the villagers that she met with an accident with a train as a result of which she died. However, it is stated by the informant that he is convinced that as a result of the altercations, the accused persons including this petitioner had killed his daughter.

It is submitted by learned counsel for the petitioner that from the contents of the FIR itself it would transpire that the marriage went well for 10 years, they were leading a happy family life as a result of which a daughter and son were also born. There is no eye witness to the alleged occurrence. It is finally stated that the paragraphs of the case diary which have been referred to in the order of the learned court below are of those witnesses who admittedly are from the same place where the informant reside and not from the Sasural of the deceased.

The application for bail has been opposed by the learned counsel for the State.

Having heard learned counsel for the parties, after having perused the materials that has transpired in the case diary, in view of the fact that the petitioner is in custody since 10.01.2019 and the investigation in the case has already concluded, the court is inclined to enlarge the petitioner on bail. The petitioner named above is directed to be enlarged on bail on



furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Chapra, Saran in Ekma P.S. Case no. 262 of 2018.

(Partha Sarthy, J)

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