

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27408 of 2019

Arising Out of PS. Case No.-496 Year-2018 Thana- NARPATGANJ District- Araria

BAIJU MARIK Son of Chhutharu Marik Resident of Village - Basmatiya,
P.S.- Narpatganj (Basmatiya), Dist.- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has filed this application for grant of
bail apprehending his arrest in Narpatganj (Basamatiya) P.S.
Case No.496 of 2018 registered for the offence under Section
302/34 of the Indian Penal Code.

The petitioner happens to be the brother -in-law
(‘Devar’) of the deceased.

As per the allegation in the F.I.R., sister of the
informant who was married to the petitioner’s brother was
tortured and beaten by the accused persons. However, out of
their wed lock one son and two daughters were born. It is stated
that in the evening of 17.08.2018 the informant was informed by
his nephew that his sister had been killed. It is further stated that



on 18.08.2018, on the informant reaching the house of the petitioner he saw the accused persons making preparation for cremation of dead body. It is further alleged that she had been strangled to death and that there was marks near her eyes.

It is submitted by learned counsel for the petitioner that the petitioner is the 'devar' of the deceased. Further that in course of investigation it has transpired that the petitioner along with his mother were living separately from the deceased and her husband. It has also transpired that the deceased had two buffaloes and the mother-in-law and the petitioner were always asking for the same. It is finally submitted that the husband of the deceased is in custody.

Having heard learned counsel for the petitioner and learned A.P.P. for the State and taking into consideration the fact that the petitioner is the devar, he has no criminal antecedent and that his elder brother, i.e. husband of the deceased is in custody, this Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, in the event of his arrest of surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in Narpatganj (Basmatiya)



P.S.Case No.496 of 2018 subject to the conditions as laid down
under section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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