

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29800 of 2019**

Arising Out of PS. Case No.-304 Year-2017 Thana- RAXAUL District- East Champaran

RAJIV KUMAR GUPTA @ KANHAIYA GUPTA Son of Rajendra Prasad
Gupta Resident of Mina Bazar, Ward No.-12, Raxaul, P.S.- Raxaul, District-
East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate.
Mr. Nilesch Kumar, Advocate.
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 15-07-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in **Sessions Trial No. 689
of 2018 arising out of Raxaul P.S. Case No. 304 of 2017**,
instituted for the offence under Section(s) 304(B)/34 of Indian
Penal Code.

Petitioner is husband of the deceased.

It is alleged in the written report that sister of the
informant namely, Laxmi Kumari, was married with petitioner
on 11.5.2017. At the time of marriage the informant gave gift to
his sister and brother-in-law (petitioner) as per his capacity. It is
further alleged that after two months of marriage, petitioner and
his family members started demanding four wheelers (Bolero)



and on non-fulfillment of the same, they used to assault and torture his sister. On 23.9.2017 at about 8:00 p.m. his brother-in-law (petitioner) telephoned him to take his sister. The informant went to matrimonial house of his sister and learnt that his sister is admitted in Dunken Hospital. The informant went here and found his sister in serious condition. She was admitted in ICU. The informant learnt that accused persons due to non-fulfillment of demand of four wheelers mixed poison in the milk and administered her, on account of which, she died.

Counsel for the petitioner submits that in the post mortem report no any external injury has been found. Various viscera have been preserved. He further submits that petitioner himself has informed the informant over telephone that victim died natural death in hospital.

Petitioner is in custody since 27.11.2017 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, 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 **Chief Judicial Magistrate, East Champaran, Motihari**, in



connection with in **Sessions Trial No. 689 of 2018 arising out of Raxaul P.S. Case No. 304 of 2017**, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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