

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72583 of 2018

Arising Out of PS. Case No.-376 Year-2012 Thana- SAHARSA District- Saharsa

Rajesh Rajak, S/o Vishnudev Rajak, resident of Village- Sulindabad, P.S. Saharsa, District- Saharsa.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Nafisuzzoha, Advocate.
For the Opposite Party : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 11-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
13.08.2018 in a case for the offence registered under Sections
302/34 of the IPC.

The prosecution story, in brief, is that in the night of
22.06.2012 at 1.00 A.M., all the named accused persons
assaulted the daughter of informant, namely, Putul Devi, with
intention to kill her and thereafter they sprinkled Kerosene Oil
on her body. On hulla, nearby people assembled and by putting
water extinguished the fire and thereafter all the villagers
brought the injured to hospital but she died on 25.06.2012 and
on the next day he got information. Informant alongwith his
villagers rushed to Saharsa Hospital and got information that his



daughter died, he lodged case at Saharsa Police Station on 27.06.2012 against five accused persons. It is alleged that daughter of deceased (Natni of informant), namely, Neha Kumari told that her mother has been burnt by sprinkling Kerosene Oil.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence. Merely on the basis of suspicion, petitioner has been made accused in the present case. It is further submitted that the petitioner may be released on bail after completion of one year in custody.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of one year in custody on furnishing bail bonds of Rs.10,000/-



(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Saharsa, in connection with Saharsa Sadar P.S. Case No. 376 of 2012.

(Sudhir Singh, J)

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