

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.68430 of 2018**

Arising Out of PS. Case No.-46 Year-2018 Thana- AGIAON District- Bhojpur

Awadhesh Rai Son of Shri Baleshwar Singh Yadav Resident of Village-  
Sultanpur, P.S.- Agiaon (Garhani), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Madhu Prasun

For the Opposite Party/s : Mr.Sri Navin Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

5      09-01-2019                      Heard the learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks regular bail in connection with  
Agiaon (Ga) P.S. Case No. 46 of 2018 for the offences  
punishable under Sections 302/201/34 of the Indian Penal Code.

The allegation in the present case is regarding the  
accused persons having tortured and killed the victim lady on  
account of non-fulfillment of demand of dowry. The petitioner  
is stated to be the husband of the deceased lady.

The learned counsel for the petitioner submits that the  
gate-man of the railway crossing has stated in his statement  
made before the police that one lady ( the victim lady) had  
approached the railway line when the passenger train was  
coming from the other side and thereafter she hit the train and



died. It is further submitted that even the police has filed a charge sheet under Section 306 of the Indian Penal Code as against the petitioner herein, and a final form has been filed with regard to the other accused persons. Lastly, it is submitted that there is no allegation or proof of torture by the petitioner herein as far as the victim lady is concerned, hence the complicity of the petitioner is not made out in the present case. The petitioner is stated to be in custody since 27.06.2018 and is having a clean antecedent.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned ACJM-VII, Bhojpur, Ara in connection with Agiaon (Ga) P.S. Case No. 46 of 2018.

**(Mohit Kumar Shah, J)**

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