

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27508 of 2020

Arising Out of PS. Case No.-198 Year-2019 Thana- AURAI District- Muzaffarpur

RAJU RAI S/o Shiv Kumar Ray Resident of Village- Panapur, Tole Ariya,
P.S.- Aurai, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Mustaque Alam, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Aurai P.S. Case No. 198 of 2019 for the offence punishable under Sections 304B/34 of the Indian Penal Code.

The allegation is regarding the marriage of the sister of the informant having taken place with Arvind Roy, whereafter the deceased victim lady had gone to her matrimonial home, however, the accused persons had started demanding motorcycle and cash amount of Rs. One lakh, by way of dowry and subsequently on account of non-fulfilment of



the said demand for dowry, the accused persons had killed the deceased victim lady.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case and is languishing in custody since 14.12.2019. It is further submitted that the petitioner is the brother-in-law of the deceased victim lady and the husband is already in custody, hence no prejudice would be caused to the prosecution if the petitioner is granted the privilege of bail. It is further submitted that similarly situated co-accused persons have already been granted bail by this Court vide order dated 02.03.2020 passed in Cr. Misc. No. 8959 of 2020. Lastly, it is submitted that the petitioner has got nothing to do with the affairs of his brother and his deceased wife since they were living separately and the petitioner had no connection with them.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the parity of the case of the petitioner with that of the co-accused persons who have already been admitted to the privilege of bail by this Court, apart from the fact that the petitioner is the brother-in-law of the deceased victim lady and the husband is already in custody, I deem it fit and proper to direct for release of the petitioner on regular bail.



Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-9th cum Sub-Judge, Muzaffarpur in connection with Aurai P.S. Case No. 198 of 2019.

(Mohit Kumar Shah, J)

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