

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74326 of 2019

Arising Out of PS. Case No.-76 Year-2018 Thana- RANIYATALAB District- Patna

TUNU MOCHI, aged about 35 years, Male, S/o Surendra Mochi @ Surendra Ravidas, R/o village- Raghunathpur Mathiya, P.S.- Rani Talab, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ramakant Sharma, Sr. Advocate and Mr. Amresh Kumar, Advocate.

For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 16-03-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that the informant solemnized marriage of his daughter Umarawati Devi with the petitioner about eight years back as per Hindu rites and customs and from the wedlock, she has also two daughters. On 01.04.2018, the informant got information from the villagers of his daughter that his daughter has been murdered by her husband Tunu Mochi (petitioner), her father-in-law Surendra Mochi and her mother-in-law and the dead body of the deceased thrown in the well of Badhar in nearby village. It is further



alleged that cause of murder is the family dispute. It is also alleged that informant's daughter earlier complain about torture by her husband, her father-in-law and mother-in-law, dead body of the deceased was recovered from the well and brought to the police station and he identified the dead body.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 03.12.2018. 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 eye witness to the alleged occurrence. There is no circumstantial evidence to suggest the implication of the petitioner in the present case. After eight years of marriage the alleged incident is said to have taken place. The deceased is said to have committed suicide. At best, it is a case under Section 306 of the I.P.C. The petitioner is not an abettor.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned A.D.J.-
VIII, Danapur in connection with S.T. No. 364 of 2019, arising
out of Rani Talab P.S. Case No. 76 of 2018.

(Sudhir Singh, J)

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