

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33793 of 2021

Arising Out of PS. Case No.-471 Year-2019 Thana- GAURICHAK District- Patna

1. BABY DEVI W/o Raj Kumar Resident of Village - Rasulpur, P.S.- Fatuha, Distt.- Patna.
2. RAJ KUMAR SON OF MOHAN KUMAR Resident of Village - Rasulpur, P.S.- Fatuha, Distt.- Patna.
3. DHANU KUMAR SON OF LATE SURENDRA SINGH Resident of Village - Surgapar, P.S.- Taluha, Distt.- Patna.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv.
		Mr. Prem Kumar, Adv.
For the Opposite Party/s :		Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 06-04-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard, Mr. Y.C. Verma, learned senior counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Gaurichak P.S. Case No. 471 of 2019, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Yugal Kishore, the informant, has stated in *fardbeyan* that his daughter (deceased) was married to co-accused Rahul



Kumar in the year 2012. The husband, Rahul Kumar, demanded money for construction of house but the informant could not fulfill his demand. It is alleged further that Rahul Kumar used to assault the deceased. Previous night to the occurrence the informant received a phone call from his daughter. Next morning he reached to the matrimonial house of his daughter and saw her dead body. He expressed suspicion that the husband Rahul Kumar including the petitioners have caused death of the deceased.

Learned counsel for the petitioner has submitted that the case has not been registered under Section 304 (B), as such, the doctrine of presumption is not attracted in this case. He has submitted further that the entire allegation of torture is against husband Rahul Kumar, the informant even did not whisper that the petitioners have ill treated the deceased.

On the other hand, learned APP has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of



learned ACJM, Patna City in connection with Gaurichak P.S.
Case No. 471 of 2019, subject to the conditions as laid down
under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the
petitioners within the stipulated time provided in para-1
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey, J)

SONALI/-

U		T	
---	--	---	--

