

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39580 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- DEODHA District- Madhubani

Raj Kumar Saday Son Of Late Chalitar Saday R/O Village- Inarwa, P.S.-
Deodha, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and the learned
APP for the State through virtual mode in view of COVID-19.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with
Deodha P.S. Case No.33 of 2022 instituted under Sections 304(B),
302, 201, 34 of the IPC.

The prosecution case, in brief, is that informant married
her daughter's seven years ago with Arjun Sahay, in which marriage
was fixed by giving Rs.1,25,000/- cash and 'Dhed' bhar gold. Rs.
1,00,000/- case and one 'Bhar' gold was given to them. It is further
alleged that the remaining 25,000/- and half 'Bhar' gold was to be
given by her after few days. But due to financial constraints, it could
not be given. She was regularly harassed for that. Further alleged that
on 05.04.2022, she was killed and burnt in the night itself. As soon as
she got information, reached the inlaws of daughter Ranju Devi



along with her family. When no member was found at the home there, then the people from the neighborhood told that your daughter has been burnt in the night itself. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that he is the maternal uncle of the deceased living separately in metes and bound and do not have any criminal antecedent but only because of relationship, he found himself in the category of the accused persons.

Taking into account that the petitioner is maternal uncle, is in custody since 25.04.2022, have no criminal antecedent and charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Deodha P.S. Case No.33 of 2022 to the satisfaction of learned Judicial Magistrate, Ist Class, Madhubani, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police



station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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

