

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51497 of 2022

Arising Out of PS. Case No.-94 Year-2020 Thana- RAGHOPUR District- Vaishali

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SATISH RAI S/o Sri Panchhi Rai R/o village- Rustampur, P.S.- Raghapur
(Rustampur O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranoy Kumar, Advocate.

For the Opposite Party/s : Ms. Pushpa Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-12-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard Mr. Pranoy Kumar, learned counsel for the
petitioner and Ms. Pushpa Sinha, learned Additional Public
Prosecutor for the State through video conference.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Raghapur (Rustampur OP) P. S. Case



No. 94 of 2020 giving rise to Sessions Trial No. 95 of 2022 registered for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

The prosecution case is based on a written report of the informant alleging therein that marriage of the sister of the informant was solemnized with the petitioner only a year before, however, after the marriage all the accused persons including the petitioner started demanding dowry and on account of non-fulfilment of the same, she was done to death and disappeared the dead body.

Learned counsel appearing on behalf of the petitioner submitted that during the course of trial, the informant and his brother have been examined and their depositions have been recorded, which has been brought on record by way of annexure 3 and 3/1 and from perusal thereof, it is evident that the informant and his brother have not supported the prosecution case, they have categorically stated that it was an accidental death and there is no complicity of the petitioner in the present crime. It is also submitted that other accused persons have already been granted bail by the learned co-ordinate Bench of this court, however, only on account of the fact that the petitioner happens to be husband of the deceased,



he is in custody since 18.08.2021.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner is husband of the deceased and the complicity of the petitioner cannot be denied and there is serious allegation against him.

Regard being had to the submissions made on behalf of the parties and taking into account the depositions of the informant and his brother, who have not supported the prosecution case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Vaishali at Hajipur in connection with Raghapur (Rustampur OP) P. S. Case No. 94 of 2020 giving rise to Sessions Trial No. 95 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or



intimidate the witnesses to delay the disposal of trial.

- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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