

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49541 of 2022

Arising Out of PS. Case No.-99 Year-2022 Thana- PUNAURA District- Sitamarhi

PAWAN RAI S/O LATE MANJHI RAI Resident of village- Khairwa, Ward
no- 13, P.S.- Punaura, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

2 16-12-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one
month.

Heard the learned counsel for the petitioner as well
as learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Punaura P.S. Case No. 99 of 2022, registered
for the offences punishable under Sections 302, 201, 498(A)/34
of the Indian Penal Code.

The daughter of the informant was married to
Sajan Kumar, brother of the petitioner. The couple have two
sons out of wedlock. Sajan Kumar used to demand money from
the informant. On 09.05.2022, Sajan Kumar informed the
informant that his daughter was in serious condition. The
informant rushed to the matrimonial house of his daughter,



where he came to know that his son-in-law, Sajan Kumar stealthily cremated the dead body of his daughter. The informant has expressed his belief that the accused persons including the petitioner had murdered his daughter and cremated her dead body.

The learned Counsel for the petitioner has submitted that the petitioner is brother-in-law of the deceased. In the entire FIR, there is no allegation of inflicting torture on the victim at the hands of the petitioner. He has falsely been implicated in this case merely because he is brother of main accused, Sajan Kumar, who is husband of the deceased. The petitioner is a person of clean antecedent and he is under custody since 11.05.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Punaura P.S. Case No. 99 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.



(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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