

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8787 of 2023

Arising Out of PS. Case No.-258 Year-2018 Thana- DESARI District- Vaishali

RAVI KUMAR RAI S/O Dharam Raj Rai R/O Village- Bajitpur Chakasturi
Tola, Ward No- 11, P.S- Desari (Sahdei O.P), District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304B/34 of the Indian Penal Code.

The prosecution case, in brief, is that the complainant alleged that her daughter has been committed murder by the accused persons along with the petitioner after administering her poison due to non-fulfillment of dowry demand. Accordingly, the present case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is husband of the deceased due to which he has falsely been implicated in this case. For the same alleged occurrence, the informant has also lodged U.D. case vide Deshari (Sahdei



O.P) P.S. case no. 8 of 2018. From perusal of case diary, the witnesses of this case stated before I.O. that the deceased was not given any poison rather her death was caused due to snake bite. It is further submitted that the petitioner was not present at the place of occurrence rather he lived in Tamil Nadu for his livelihood but when he knew about the alleged occurrence, he came to Patna. There is also no any prior complaint in respect of torture or misbehave to the deceased by the petitioner. The petitioner has got no criminal antecedent as stated in para-3 of the bail petitioner. Moreover, he is languishing in judicial custody since 30.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is husband of the deceased upon whom ample responsibility to keep his wife well. As per F.S.L. report annexed with the case diary, it appears that Theimet was detected.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Deshri (Sahdei O.P) P.S. Case No. 258 of 2018 on furnishing bail bond of Rs.10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIIth Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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