

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27348 of 2023**

Arising Out of PS. Case No.-171 Year-2021 Thana- GARKHA District- Saran

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Ram Nath Rai Son Of Late Rupdev Rai R/O Village - Panchbheriya, P.S.-
Garkha, District - Saran At Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Nawal Kishore Singh, Advocate
For the Opposite Party : Mr. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks bail in connection with
Garkha P.S. Case No. 171 of 2021 dated 11.03.2021,
instituted for the offences punishable under Sections 302,
201/34 of the Indian Penal Code

3. The case of prosecution, in short, is that the
complainant has been married to petitioner's son (deceased)
and soon after the marriage, her in-laws including petitioner
started making demand of Rs. 5,00,000/- and on non-
fulfillment of the same they assaulted her. It is further alleged
that when the complainant's husband demanded his share in
the property, petitioner along with other co-accused persons



assaulted and killed him

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that the petitioner is father of the deceased. It is submitted that after the death of the deceased a complaint was filed by the wife of the deceased on 09.09.2022, when the occurrence was took place at 29.06.2020 after lapse of three months without any explanation. It is further submitted that at the time of occurrence the informant was not present at her matrimonial house and after three months, with some ulterior motive she filed the aforesaid case against the family members of the petitioner. Further, it is submitted that there is no any eyewitness in this case and during the course of investigation nothing has been discovered against the petitioner. Lastly, it has been submitted that the petitioner is in custody since 17.01.2023, has no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let



the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., Saran at Chapra in Garkha P.S. Case No. 171 of 2021.

(Khatim Reza, J)

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