

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31794 of 2024

Arising Out of PS. Case No.-126 Year-2019 Thana- TEKARI District- Gaya

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Rahul Sharma @ Bankatesh Sharma @ Rahul Kumar SON OF PRAMOD
SHARMA R/O - VILL- SAHWARA, P.S- TIKARI , DIST- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr. J.N. Thakur

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 10-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Tekari P.S. Case No. 126 of 2019, registered
for the offences punishable under Sections 302, 201/34 of the
IPC.

3. The informant is father of the deceased. He
makes allegation that the marriage of his daughter was
solemnized with the petitioner in the year 2010. On 13.04.2019,
at about 6 PM, he got an information from one of his relatives
that that the accused persons committed murder of his daughter
by burning. He rushed there but didn't find his daughter. The
informant has firm belief that the accused persons named in the



FIR including the petitioner, after committing murder of the deceased, had concealed her dead body.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The marriage was solemnized nine years prior to the occurrence. There is neither allegation of demand of dowry in the FIR nor there is allegation of torture. It has also not been mentioned that prior to her death, she was being tortured by the accused persons. He has submitted further that the deceased had died natural death and the petitioner and his family members were falsely been implicated for some ulterior motive. He has also submitted that the FIR was sent to the court of C.J.M. after eight days which shows that it was nothing but an afterthought case. The petitioner is under custody since 22.12.2023.

5. On the other hand, the learned APP for the State Sri J.N. Thakur has opposed the prayer for bail and submitted that the petitioner is husband and he along with other accused persons (his family members) disappeared the dead body, after committing murder of the deceased.

6. From perusal of the FIR, it appears that there is no allegation of torture. It has also not been mentioned that the accused persons had demanded dowry from the informant's



father. There is no explanation of delay of eight days in sending the report to the court of C.J.M.

7. 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 Additional Chief Judicial Magistrate-VI, Gaya in connection with Tekari P.S. Case No. 126 of 2019, subject to the following condition:-

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

(Nawneet Kumar Pandey, J)

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