

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68825 of 2023

Arising Out of PS. Case No.-282 Year-2023 Thana- MADHUBAN District- East Champaran

GHANDHI RAI @ GANDHI RAY son of Satan Rai @ Satynarayan Ray
village- Lahee Ps- Madhuban Dist- East Champaran Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 4 07-10-2024 Heard learned counsel for the petitioner and the State.
2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 328/302 of the IPC.
3. As per the prosecution case, sister of informant was married with this petitioner twelve years ago and from their wedlock, two female children, namely, Madhu Kumari and Priyanka Kumari were born. Later on, after death of sister of informant, petitioner performed his second marriage. On 17-06-2023, informant received an information that his niece-Priyanka Kumari has died. Informant is confident that due to heat wave or poison given by this petitioner, his niece Priyanka Kumari has died.
4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on mere confusion. Petitioner happens to be father of the deceased, whereas informant is her maternal uncle (mama). It is further submitted that as a matter of fact, victim died due to heat wave. Post mortem report reveals that there was no external injury on the body of the deceased. Even no motive has been mentioned in the FIR behind alleged offence. Petitioner claims clean antecedent.
5. Learned counsel for the State opposes the prayer



for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in Madhuban Police Station Case No. 282 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

