

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86678 of 2023

Arising Out of PS. Case No.-187 Year-2023 Thana- BASOPATTI District- Madhubani

Rajesh Ray SON OF RAM BRIKSHA RAY RESIDENT OF VILLAGE-
MAHINATHPUR, PS- BASOPATTI, DISTT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Raj

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 14-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 304B/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that the the sister of the informant was married to the petitioner around 13 years back. On 19.8.2023, the informant came to know that the petitioner along with others committed murder of his sister.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no prior complaint against the petitioner regarding torture or harassment the deceased. It is further submitted vide para 8 & 9 of the petition that the petitioner was happily married to the deceased and out



of the wedlock they were blessed with two children but unfortunately on the alleged date of occurrence, the deceased got snake bite at night due to which she died. It is also submitted that section 302 of I.P.C. is not applicable against the petitioner as the death is accidental. From perusal of F.S.L. report, no Metallic, Alkaloid, Glycosidal, Pesticidal or volatile poison could be detected. The petitioner has got no criminal antecedent and languishing in judicial custody since 19.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with Basopatti P.S. Case No. 187 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Madhubani.

(Sunil Kumar Panwar, J)

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