

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11366 of 2015

Arising Out of PS.Case No. -101 Year- 2014 Thana -KUTUMBA District- AURANGABAD

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1. Surendra Ram Son of Ramdeo Ram Resident of Village- Narendra Khap,
Police Station- Kutumba, District- Aurangabad(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeshwar Singh

For the Opposite Party/s : Mr. Amrendra Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-03-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner, being husband of the deceased is languishing in jail custody since 10-02-2015 in a case registered under Sections-304(B)/34 of the Indian Penal Code.

According to prosecution case itself, the deceased died on 10-06-2014 and after four months of death of the deceased i.e. on 09-10-2014, the informant gave a petition to the Superintendent of Police, Aurangabad and the written petition of the informant reflects that on the alleged date of occurrence, he got information about the serious condition of his daughter and he reached at the house of the petitioner on the same day but he did not take pain to lodge any case rather he waited for near about four

months for return of articles, which were said to have given to the petitioner and his family members at the time of marriage and when the informant did not get the aforesaid articles, he lodged the present case.

The contention on behalf of the petitioner is that the deceased died due to her ailment and information, regarding her ailment was properly given to the informant who reached at the house of the petitioner and participated in cremation of the deceased and at that time, he did not raise any objection. Moreover, after cremation, the informant started pressurizing the petitioner and his family members to cough out heavy amount which was denied resulting institution of the present case.

Considering the aforesaid facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kutumba P.S. Case No. 101 of 2014 to the satisfaction of learned Chief Judicial Magistrate, Aurangabad.

(Hemant Kumar Srivastava, J)

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