

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15562 of 2015

Arising Out of PS.Case No. -44 Year- 2014 Thana -SANOKHAR District- BHAGALPUR

- =====
1. Subhash Paswan S/o Satto Paswan
 2. R/o Village Agaiya (Chhoti Naki), P.S. Sanokhar, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Arun Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

7 14-09-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and admittedly, marriage of the deceased had taken place with the petitioner in the year, 2008 and the deceased died in the year, 2014 in other than normal circumstances. In course of investigation, some witnesses stated that due to family feud, the deceased consumed poison. Paragraph-41 of the case diary reveals that the I.O. has incorporated the contents of postmortem report and it would appear from perusal of the aforesaid paragraph that no external injury was found on the person of the deceased and the doctor could not ascertain the cause of death of the deceased and viscera was kept reserved. This court made attempt to obtain viscera

report from forensic science laboratory but the I.O. of this case had not sent any viscera for chemical examination.

It would appear from perusal of statement of some witnesses that one day prior to the death of the deceased, the petitioner had given three or four slaps to the deceased and therefore, even if, the aforesaid statement assumed to be true, then also, it is only a bear and tear of husband and wife.

Considering the above-said submission as well as facts and circumstances of the case, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sanokhar P.S. Case No. 44 of 2014 to the satisfaction of learned C. J.M., Bhagalpur.

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(Hemant Kumar Srivastava, J)

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