

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25974 of 2014

Arising Out of PS.Case No. -160 Year- 2013 Thana -JANKINAGAR District- PURNIA

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1. Binod Poddar son of Sri Guneshwar Poddar resident of village - Binoba Gram, Lalji Mandal Tola, P.S. Jankinagar, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Ram Sewak Choudhary (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 09-01-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner being husband of the deceased is languishing in jail custody since 31.03.2014 in a case registered under section 498A/302/34 of the Indian Penal Code.

According to prosecution case, itself, the alleged occurrence took place on 23.11.2013 and the present case was lodged on 02.12.2013, after the death of the victim.

In course of investigation, the investigating officer examined several co-villagers of the informant and the aforesaid co-villagers stated that deceased was mentally unfit and she committed suicide. The statement of son of the deceased has been recorded at para-17 of the case diary in which, he also stated that

deceased set fire herself on her body. It is an admitted position that informant got information regarding the occurrence from the petitioner and after that informant came to the house of the petitioner and then the deceased was taken to hospital for treatment.

No doubt, deceased died in course of her treatment and the informant claimed that deceased had disclosed before him that it was petitioner, who set her on fire but there is nothing to show as to what prevented the informant to lodge the case prior to death of the deceased.

Considering the aforesaid facts and circumstances as well as submissions of the parties, 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 Chief Judicial Magistrate, Purnea in connection with Jankinagar P.S.Case No. 160 of 2013.

(Hemant Kumar Srivastava, J)

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