

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.907 of 2015

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1. Nageshwar Sah son of Late Ginni Lal Sah Resident of Village - Nandan Kaituki P.S.- Maker, Distt- Saran (Chhapra), Presently Residing at - Pipra Dih (Pipra Devas) under P.S- Barauni in Begusarai District

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1 (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 30-01-2015

Heard both sides.

The petitioner apprehends his arrest in Maker P.S.

Case No. 52 of 2014, registered for the offences punishable under Sections 302, 328 and 34 of the Indian Penal Code.

Ashok Kumar Sah the brother of the deceased disclosed that his sister was married to Hari Nath Sah in the year 2001, her husband and other in-laws were subjecting her to physical and mental torture. The informant came to know that all the accused persons poisoned his sister to death.

Learned counsel for the petitioner submits that the petitioner is brother-in-law of the deceased and there is no evidence to show that the petitioner poisoned the deceased and except suspicion there is no material against the petitioner.

On perusal of the record, it appears that nobody has seen the occurrence. The petitioner is brother-in-law and during the course of investigation, nothing has been collected to show the involvement of the petitioner.

Having considered the facts aforesaid and the fact that the petitioner is brother-in-law of the deceased, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 the Learned Sub-Divisional Judicial Magistrate, Saran at Chapra in connection with Maker P.S. Case No. 52 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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