

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25844 of 2015

Arising out of PS.Case No. -110 Year- 2014 Thana -LALGANJ District- VAISHALI(HAJIPUR)

Chandan Kumar Sharma alias Chandan Sharma, son of Late Surendra Sharma, Resident of village kailitand, P.s. Bhagwanpur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anirudh Kumar Sinha, Advocate.

For the Opposite Party : Mr. Zainul Abedin (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-09-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is apprehending his arrest in connection with Lalganj P.S. Case No. 110 of 2014 (G.R. No. 2451/2014) for the offences instituted under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that when the informant who happens to be the Chowkidar got information that an unclaimed dead body of a lady was thrown at the side of Lalganj Fakuli Road in the village- Kanti he rushed to the place of occurrence and saw lying an unidentified dead body of a about 40 years old lady.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted



that the petitioner is not named in the F.I.R. nor there is specific allegation made against the petitioner. The petitioner has falsely been implicated in the present case by his father-in-law. It is further submitted that F.I.R. was instituted in respect to recovery of dead body of a lady. Her age has been assessed as 40 years by the doctor who conducted the post mortem. The post mortem report is Annexure-3 to the present application. It is further submitted that the name of the wife of the petitioner is Omkala Kumari. It is further submitted that on the alleged date of occurrence her age was 22 years which is evident from the certificate issued by the Secretary, Bihar School Examination Board, Patna, vide Annexure-2. Hence, the contention made on behalf of the father-in-law of the petitioner is not correct.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R. and his name has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Lalganj P.S. Case No. 110/2014 (G.R. No. 2451/2014) on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each

to the satisfaction of the learned C.J.M., Vaishali at Hajipur,
subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

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(Sudhir Singh, J)

