

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10306 of 2015

Arising Out of PS.Case No. -148 Year- 2014 Thana -SIMRI District- DARBHANGA

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1. Vikas Kumar @ Vikas Kumar Yadav S/o Sri Gauri Shankar Yadav
Resident of Moh. Bela Baghmore, Near P.S. - L.N.M.U. (Lalit Narayan
Mithila University), District - Darbhanga (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Mishra

For the Opposite Party/s : Mr. Ashok Kr.Singh No.1(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 07-05-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The informant claims himself to be an eye witness of

the alleged occurrence in his fardbeyan, which was admittedly,

recorded after death of the deceased but when further statement of

the informant was recorded at Para-12 of the case diary, he stated

that he came on the place of occurrence after the alleged

occurrence and the deceased disclosed that her husband and

younger brother-in-law cut her neck.

Learned counsel appearing for petitioner drew my

attention towards Annexure-2 of the supplementary affidavit and

submitted that deceased was not in a position to disclose the name

of assailant and moreover, she was admitted in hospital as an unknown patient. It is further contended by him that at para-17 of the case diary, the statement of mother of the deceased was recorded and mother of the deceased, stated that the deceased solemnized her love marriage with the petitioner.

The contention on behalf of the petitioner is that the deceased might have been killed by her family members and moreover, none has seen the actual killing 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, Darbhanga in connection with Simri P.S. Case No. 148 of 2014.

(Hemant Kumar Srivastava, J)

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