

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13474 of 2015

Arising Out of PS.Case No. -220 Year- 2014 Thana -AMARPUR District- BANKA

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1. Prabhat Das son of Guder Das resident of Village - Kashpur, P.S.
Amarpur, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Indra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 28-09-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is husband of the deceased and is
languishing in jail custody since 20-10-2014 in a case in which,
charge sheet has been submitted under Section-304(B) of the
Indian Penal Code.

Contention on behalf of the petitioner is that the
first information report as well as statement of witnesses, recorded
at paragraphs-37, 38 & 39 of the case diary, reflects that at the
time of alleged occurrence, the petitioner was not present at his
house. It is further contended by him that moreover, the cause of
death could not be ascertained by the doctor. No visible injury was
found on the person of the deceased. It is further contended by him

that in course of investigation, some witnesses stated that the deceased had consumed poison and, therefore, at best, it is a case of Section-306 of the Indian Penal Code.

Considering the aforesaid facts and circumstances as well as submission of the parties, 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 Amarpur P.S. Case No. 220 of 2014 to the satisfaction of Chief Judicial Magistrate, Banka.

(Hemant Kumar Srivastava, J)

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