

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3643 of 2015

Arising Out of PS.Case No. -68 Year- 2014 Thana -BARH District- PATNA

1. Sonu Mahto Son of Arvind Mahto Resident of vill-
Agwanpur(Ladapur),P.S-Barh,Distt.-Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Binod Kumar 2 (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 28-01-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is husband of the deceased and is
languishing in jail custody since 22.11.2014 in a case registered
under section 304B/34 of the Indian Penal Code.

Originally,the informant filed complaint case on
21.02.2014 and the said complaint case was converted into Barh
P.S.Case No. 68 of 2014.

The informant has admitted in his complaint case that
he got information on 10.12.2013 to this effect that her daughter
got burn injury and on 15.12.2013, the informant along with her
husband went to see her daughter and again she got information on
26.12.2013 about the death of her daughter.

Learned counsel appearing for the petitioner submits that after death of deceased, her post mortem report was done and as a matter of fact, the deceased was caught fire accidentally due to burst of stove. It is further contended by him that after death of the deceased, the informant has brought this false case with intent to fetch money from the petitioner.

Learned counsel for the petitioner drew my attention towards Annexure-1 to the petition and submits that, it would appear from perusal of Annexure-1 that the complaint petition was drafted and typed on 02.01.2014 and was signed by the concerned advocate on 03.01.2014 and the said complaint petition was filed on 21.02.2014 and there is no explanation of the above stated delay.

Annexure-2 is the post mortem report of the deceased and from perusal of post mortem report of the deceased, the stand of petitioner that deceased was caught fire accidentally, prima facie finds support.

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 Additional Chief Judicial Magistrate, Barh in connection with

Barh P.S.Case No. 68 of 2014.

(Hemant Kumar Srivastava, J)

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