

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4052 of 2015

Arising Out of PS.Case No. -263 Year- 212 Thana -PATRAKARNAGAR District- PATNA

1. Mayank Shekhar Son of Sudhanshu Shekhar resident of village Riga P.S Riga District Sitamarhi (Bihar) at present residing at 0.89 Doctor's Colony, Kankarbagh, P.S Patrakar Nagar, District- Patna.3

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s Mr. Shyam Bihari Singh(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

06/ 23.04.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner being husband of the deceased is languishing in jail custody since 10.9.2014 in a case registered under sections 304B, 201/34 of the Indian Penal Code.

The contention on behalf of the petitioner is that deceased died due to cardio respiratory failure and, as a matter of fact, when condition of deceased started deteriorating, family doctor, namely, K.K.Singh was immediately called on but unfortunately, deceased died before arrival of the doctor. It is further contended by him that information regarding death of the deceased was immediately given to informant as well as other relatives and informant and other relatives participated in cremation of the deceased.

Learned counsel for the petitioner drew my attention



towards annexures 6 and 7 of the supplementary affidavit and pointed out that cremation of deceased was performed at Bans Ghat, Patna and death certificate of deceased was issued. It is further contended by him that in course of investigation, Investigating officer interrogated Dr. K.K. Singh who supported the above stated fact which is evident from para 67 to the case diary. It is further contended by him that, as a matter of fact, informant sold some lands of deceased and with intent to digest the aforesaid money, lodged this case against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna in Patrakar Nagar P.S. Case no. 263/2012.

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(Hemant Kumar Srivastava,J)

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