

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19126 of 2015

Arising Out of PS.Case No. -19 Year- 2014 Thana -THAKURGANJ District- KISANGANJ

Uma Shankar Raut @ Uma Shankar Prasad, son of Late Madan Mohan Raut@ Madan Mahto, resident of mohalla- Teacher's Colony, Ward No. 5, P.S.- Thakurganj, District- Kishanganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Utsav Kumar

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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2 15-06-2015 Heard Sri Manish Kumar, learned counsel, who was assisted by Sri Utsav Kumar, learned counsel for the petitioner and Sri Dinesh Singh, learned Addl. Public Prosecutor.

The sole petitioner, who apprehends his arrest in connection with Thakurganj P.S. Case no.19 of 2014 registered for the offence under Sections 302 and 201 of the Indian Penal Code, has prayed for grant of bail.

Learned counsel for the petitioner submits that though the wife of the petitioner died due to burn injury, in which the petitioner has also received serious burn injury, who was carried to hospital for his treatment, no complaint was made by the side of in-laws of the petitioner and only on information, the police

officer arrived there and lodged an F.I.R., in which the petitioner has been made accused.

On perusal of the F.I.R. it is evident that at the time of occurrence, only the petitioner was present there and while cooking, the wife of the petitioner received burning and thereafter the petitioner took all steps to save her but all efforts went in vein. During this course, the petitioner also received burn injury and thereafter, the petitioner was immediately carried to hospital. This fact has been noticed by the police, who had lodged the F.I.R. The petitioner was having two minor children. Learned counsel for the petitioner further submits that even before the Officer Incharge, father-in-law of the petitioner had filed a petition for recording statement of family members and he has said that there was no complain of torturing by the petitioner.

In view of facts and circumstances, let the petitioner, namely, Uma Shankar Raut @ Uma Shankar Prasad, in the event of his arrest or surrender within a period of one month from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Kishanganj in connection with Thakurganj P.S. Case no.19 of 2014 subject to the conditions as laid down in Section 438(2) of the Code of Criminal

Procedure.

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(Rakesh Kumar, J)

