

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27559 of 2015

Arising Out of PS.Case No. -82 Year- 2013 Thana -MAHILA PS District- JEHANABAD

Baban Thakur, son of Late Nawal Thakur, resident of village- Banshi Bigha, Police Station- Ghosi, District- Jehanabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 10-11-2015 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner, being the husband of the deceased, is apprehending his arrest in connection with Jehanabad Mahila P.S. Case No.82 of 2013 for allegedly having committed the offence under Sections 304B and 201/34 of the Indian Penal Code.

Case diary in the present case was called for, which has since been received.

Learned counsel for the petitioner submits that the death of the deceased had occurred on account of illness and not on account of any untoward act or torture having been perpetuated by the petitioner. It is further submitted that the



deceased had been taken to the hospital one day prior to her death as she had been treated initially by the village Compounder but when her condition deteriorated, she was admitted in the clinic of Dr. Dhananjay Kumar, who also treated her for a day but later referred to P.M.C.H. Learned counsel for the petitioner further submits that when they were making arrangement for taking her to Patna for treatment, it was in the clinic of Dr. Dhananjay Kumar that the deceased breathed her last and she was cremated in presence of her parents.

Learned counsel for the State after perusal of the case diary submits that several independent witnesses of the village have also supported the case that the wife of Baban Thakur had already been taken ill one day prior to the death and she was taken care of by other family members of the family of Baban Thakur.

Considering the aforementioned facts and circumstances and what has emerged in several paragraphs of the case diary, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of

Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad, in connection with Jehanabad Mahila P.S. Case No.82 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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