

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4515 of 2015

Arising Out of PS.Case No. -7 Year- 2014 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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1. Devendra Prasad Son of Sri Gopal Sah resident of village + P.O.
Daranagar, P.S. Nauhatta, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s Mr. Anuj Kr.Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

04/ 23.04.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Marriage of deceased was solemnized with the petitioner on
29.4.2013 and according to the prosecution case itself, deceased was
caught in fire in the night of 5.3.2014 and thereafter, she was taken to
clinic of one Dr. Bose from where she was taken to Banaras and after
getting treatment, she returned and started residing at her parental
home.

The present case was lodged on 29.3.2014 and para 26 of
the case diary reveals that inquest report of deceased was prepared on
29.3.2014 meaning thereby present case was lodged on the date when
deceased died.

The contention on behalf of the petitioner is that informant
lodged this case after death of deceased and no explanation regarding
delay for institution of this case was given by the informant.

In course of investigation, some witnesses stated that an altercation had taken place between the petitioner and deceased on alleged date of occurrence and after that deceased herself set fire on her body and furthermore, it has also come that deceased was immediately taken to hospital for treatment by the petitioner and other family members.

Moreover, according to the prosecution case itself, informant got information regarding incident on 5.3.2014 and after that deceased was brought to her parental home on 17.3.2014 but in spite of that informant did not lodge case either on 5.3.2014 or on 17.3.2014.

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 Sub divisional Judicial Magistrate, Dehri, Rohtas in Dehri (Mahila) P.S. Case no. 07/2014.

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(Hemant Kumar Srivastava,J)

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