

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28584 of 2015

Arising Out of PS.Case No. -412 Year- 2014 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Raja Babu Patel s/o Chandeshwar Patel r/o Chikanoha, P.S. Sugauli, Dist.
E. Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. U.L.Verma(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 24-07-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Sugauli Police Station Case No. 412 of 2014 registered for the
offences punishable under Sections 304B of the Indian Penal
Code.

Petitioner happens to be husband of the deceased and
admittedly, the marriage of deceased had taken place with the
petitioner on 29.05.2014 but deceased died on 11.11.2014. The
informant claimed in his written report that deceased was killed by
the petitioner by pressing her neck.

The case has been registered under section 304B of the
Indian Penal Code but there is nothing in the written report of the
informant that any illegal demand was made by the petitioner and

due to aforesaid illegal demand the deceased was subjected to cruelty. Moreover, Annexure-2, which is the post mortem report of the deceased, reveals that no any external injury was found on the body of the deceased nor any mark of injury was found on her neck. Furthermore, the post mortem report reveals that the deceased died due to cardio respiratory failure secondary to disease and aneamia.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in Sugauli Police Station Case No. 412 of 2014, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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