

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26358 of 2014

Arising Out of PS.Case No. -18 Year- 2013 Thana -GADHPURA District- BEGUSARAI

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1. Bam Bam Singh son of late Natho Singh resident of village Kanaushi
P.S. Gardhpura , Distt. Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Kumar Ishwar

For the Opposite Party/s : Mr. Durgesh Nandan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 09.01.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 04.07.2013 in a case initially, registered under section 307 and other minor sections of the IPC but after completion investigation, Investigating officer submitted charge sheet under section 302 and other allied sections of the IPC.

The accusation against the petitioner is that he sprinkled kerosene oil on the person of deceased but there is no allegation that he lit the fire to the body of deceased as it is evident from perusal of fardbeyan of deceased. Moreover, it is apparent from the record that alleged occurrence took place on 26.01.2013 whereas deceased died on 15.03.2013 and it is apparent from para 35 of the case diary that after getting recovery from her burn injury, she came to her home where she died and her dead body was cremated.

Admittedly, post mortem of deceased could not be done and

therefore, it is not clear as how deceased died.

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, Begusarai in Gardhpura P.S. Case no. 18/2013.

(Hemant Kumar Srivastava,J)

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