

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33743 of 2014

Arising Out of PS.Case No. -128 Year- 2014 Thana -BARH District- PATNA

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Shailesh Kumar Paswan son of late Kamta Paswan resident of village Karjan, P.S. Sakasohra, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 16-01-2015 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner, being husband of the deceased is languishing in jail custody since 13-04-2014 in a case registered under Sections-304(B)/34 of the Indian Penal Code.

The contention on behalf of the petitioner is that the deceased was carrying pregnancy at the time of her death and as a matter of fact, one day prior to her death, there was excessive bleeding to the deceased, for which, she was got treated but unfortunately, she could not be saved and when her corpus was taken to cremation Ghat, the informant with an ulterior motive, lodged this case against the petitioner and his other family members.

From perusal of the record and the case diary as also from submissions of the parties, I find that in course of investigation,

the informant and his family members supported the prosecution story but the postmortem report of the deceased reveals that the cause of death could not be ascertained and the viscera was kept reserved for examination. Moreover, it appears that no burn injury was found on the person of the deceased.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner, named above, be released on bail on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Barh P.S. Case No. 128 of 2014 to the satisfaction of Additional Chief Judicial Magistrate, Barh, District-Patna.

(Hemant Kumar Srivastava, J)

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