

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38079 of 2015

Arising Out of PS.Case No. -146 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Ramesh Chaudhary S/o Shri Shyam Sundar Choudhary, Resident of
village- Gadai Sarai, P.S. Sadar, District- Hajipur (Vaishali)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar No. 2(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 01-12-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner happens to be younger brother-in-law of the
deceased. According to the prosecution case itself, the marriage of
the deceased had taken place 13 years ago and her husband was
working outside the State. The accusation against the petitioner is
that he along with others put the deceased on fire in the night of
23.03.2015 . The informant got information about the aforesaid
occurrence and came to the Ganpati Nursing Home where the
deceased had been got admitted by her in-laws. The informant
claims that she gave written information to the police of Hajipur
and brought the deceased to PMCH on 26.03.2015. The present

case was lodged by the informant on 28.03.2015 and in course of investigation the deceased died on 12.5.2015 and after that section 302 of the Indian Penal Code was added.

It is obvious from the aforesaid fact that deceased remained alive for near about 1 ½ months but it is surprising enough that the I.O did not take any pain to record the statement of deceased.

The submission on behalf of the petitioner is that the husband was separate from the petitioner and his other family members and as a matter of fact the husband of the deceased instigated the informant for institution of the present case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S.case No. 146 of 2015.

(Hemant Kumar Srivastava, J)

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