

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38657 of 2015

Arising Out of PS.Case No. -146 Year- 2015 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Moti Sah son of Late Mathura Sah, Resident of village- Khiriya Ghat,
Police Station- Bairiya, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Adv.

For the Opposite Party/s : Ms. Gulnar Begum(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 26-11-2015 Heard both sides.

The petitioner apprehends his arrest in Bairia P.S. Case No. 146/2015, registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Sanjay Kumar, SHO Bairia P.S. is the informant of the case. The informant alleged that the petitioner is in the habit of marriage each year. It is further alleged that the petitioner killed his wife and he was trying to dispose of the dead body. The dead body was recovered and sent to hospital for post-mortem.

It is submitted that the wife of the petitioner was suffering from heart disease and she died on account of heart disease. The post-mortem report also states the same facts. During

course of investigation none of the witnesses came to say that the petitioner either married with any other lady or the petitioner ever subjected his wife to any sorts of torture.

Learned Additional P.P. did not dispute the fact.

Considering the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bairia P.S. Case No. 146/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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