

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39086 of 2014

Arising Out of PS.Case No. -206 Year- 2014 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Md. Makbul Shekh Son of Hashim Shekh resident of village - Badhani
Kala, P.S. Mohania, District - Kaimur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 15-04-2015 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner apprehends his arrest in Sasaram
Darigaon P.S. Case No. 206 of 2014, registered for the offences
punishable under Sections 498A, 304B, 201, 120B/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
entire case has been lodged as an after thought only for the
purposes of implicating the petitioner, who is the husband of
the deceased lady, who had died of “Autoimmune Thyroiditis
with Hypovolumic Shock” resulting in cardio respiratory arrest.
Learned counsel for the petitioner has drawn my attention to
Annexure-2 of this application, which is a medical certificate,
issued by the Sir Sunder Lal Hospital, B.H.U., Varanasi. The
said certificate clearly indicates that the deceased Sarda

Khatoon, wife of this petitioner had been treated at the said hospital between 23.10.2013 to 01.11.2013 and had died in the matter indicated in the said certificate on 01.11.2013 and the body had been handed over to the petitioner at 6.30 P.M. on the said date. Learned counsel for the petitioner has also drawn my attention to paragraph-8 of the complaint petition. After perusal of the same, it is clear that the statement made therein is highly improbable and apparently the complaint petition has occasioned as an after thought.

Considering the aforementioned submissions and after perusal of the facts and circumstances as indicated in the Annexures, let the above named petitioner, in the event of his arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Sasaram Darigaon P.S. Case No. 206 of 2014, subject to the conditions as laid down under Section 438(2) of the Indian Penal Code.

(Anjana Mishra, J)

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