

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55184 of 2015**

Arising Out of PS.Case No. -62 Year- 2014 Thana -SHAMBHUGANJ District- BANKA

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1. Dilip Singh son of Satya Prakash Singh, resident of Village- Garlhi Mohanpur, P Shambhugaanj District- Banka.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nand Gopal Mishra, Adv,

For the Opposite Party/s : Mr. Smt. Pushpa Sinha 2, APP

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**CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN**  
**ORAL ORDER**

2      21-12-2015      Heard Nand Gopal Mishra, learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in connection with Shambhuganj P.S. Case No.62 of 2014 for the offences punishable under Sections 304(B), 201 and 120(B) of Indian Penal Code.

The petitioner happens to be the husband of the deceased.

Mr. Mishra learned counsel for the petitioner with reference to the date of birth certificate of the children present at Annexure-2 series submitts that whereas the daughter is more than 12 years on the date of occurrence, the son would be about 8 years. He submits that the same is confirmed by the certificates. He thus submits that the allegation under Section 304B itself becomes doubtful. He submits that it is in consideration of the

circumstances that the brother and mother of the petitioner have been granted bail in Cr.Misc.No.36879 of 2015 (Annexure-4).

Having heard learned counsel for the parties and considering the circumstances existing, let the petitioner namely, Dilip Singh in the event of his arrest/surrender within four weeks from today, be released on bail upon furnishing bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 62 of 2014 subject to the conditions stipulated under Section 438(2) of the Code of Criminal Procedure.

**(Jyoti Saran, J)**

Bibhash/-

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