

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29621 of 2015

Arising Out of PS.Case No. -82 Year- 2014 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Ram Bharosi Sah, son of Ramnath Sah, Resident of village- Jatwalia, P.S.
Kundwachainpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kuar

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 27-10-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and

admittedly, the marriage of petitioner and deceased had taken

place 18 years ago. Although the informant claimed that deceased

was killed by the petitioner as his relation was not cordial with the

deceased but in course of investigation, several witnesses

including informant stated that a quarrel took place between

petitioner and deceased on account of petty family feud and due to

sudden provocation petitioner not only assaulted the deceased but

also pressed her neck. However, the witnesses claimed that

petitioner tried to save the life of the deceased by taking her to

hospital but unfortunately deceased died in the way,

Learned counsel for the petitioner submits that even if the aforesaid materials assumed to be true then also, at best, it is a case of section 304 of the Indian Penal Code for which petitioner is in jail custody since 01.11.2014.

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 learned Judicial Magistrate 1st class, Sikrahna at Motihari in connection with Kundwachainpur P.S.Case No. 82 of 2014.

(Hemant Kumar Srivastava, J)

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