

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23535 of 2016

Arising Out of PS.Case No. -151 Year- 2014 Thana -ANDER District- SIWAN

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1. Shailendra Singh, Son of Shyam Bihari Singh, Resident of Village:
Gopipatiao, P.S. Andar (M.H. Nagar), District: Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Arun Kumar Singh No.-5 (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 14-07-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

Petitioner happens to be husband of the deceased and
according to prosecution case itself, the marriage of deceased had
taken place with petitioner in the year 2003. Admittedly, deceased
died in the year 2014 and after that the present case was lodged. It
is also admitted case that at the time of her death, deceased was
carrying pregnancy.

Submission on behalf of the petitioner is that
deceased got some complications during pregnancy and she was

got treated in hospital but unfortunately, she died of above stated complications. It is further submitted that at para-39 of the case diary the own sister of the deceased stated that on 17.09.2014 petitioner and his other family members were assaulting the deceased in her presence and she could not give information to her parents about the aforesaid assault because her parents were in hospital in connection with their treatment. It is submitted on behalf of the petitioner that except the statement of aforesaid witness, not a single prosecution witness came forward to support the prosecution case and moreover, the present case was lodged on 19.09.2014 and admittedly, the sister of the deceased did not make any complain with her parents or before any police official.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Andar P.S. Case No. 151 of 2014.

(Hemant Kumar Srivastava, J)

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