

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44362 of 2015

Arising Out of PS.Case No. -20 Year- 2014 Thana -CHHABILAPUR District- NALANDA
(BIHARSHARIFF)

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1. Shiv Shankar Prasad Son of Late Balo Mahto Resident of Village Meyar,
P.S. Chhabilapur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar

For the Opposite Party/s : Mr. Ashraf Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 05-01-2016 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
is languishing in jail custody since 22.08.2014 in a case registered
for the offences punishable under Sections 302 and 201 of the
Indian Penal Code.

The informant, who happens to be father of the
deceased, lodged the first information report making allegation
that petitioner and his other family members administered poison
to the deceased with an intent to grab her share as well as
ornaments. The dead body of the deceased was cremated and
admittedly, informant got telephonic information in respect of

death of his daughter and thereafter lodged the present case. The impugned order shows that trial of the petitioner is going on and some witnesses have already been examined but they have not supported the prosecution case.

Although, informant and one Sunil Singh have been left to be examined but admittedly, they are not eye witness of the alleged occurrence.

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 4th Additional Sessions Judge, Nalanda, Bihar Sharif in connection with Sessions Trial No. 119 of 2015 arising out of Chhabilapur P.S. Case No. 20 of 2014.

(Hemant Kumar Srivastava, J)

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