

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13986 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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Rajesh Sharma S/o Late Laxman Sharma, R/o Village Kolhuakha, P.S.-
Nagar, District- East Champaran, Motihari

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party : Mr. Nand Kishore Pd, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 11-04-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of
Chhatauni P.S.Case No.274 of 2015, disclosing offences under Sections
304(B), 201 and 34 of the Indian Penal Code.

Allegedly some dispute had taken place between the deceased
and her husband, Anil Sharma over purchase of garments. It is further alleged
that thereafter said Anil Sharma along with 2-3 unknown persons assaulted
the deceased and killed her.

Learned counsel appearing on behalf of the petitioner has
submitted that no offence under Section 304(B) of the IPC is made out on the
basis of allegations contained in the FIR. The petitioner is the brother-in-law
of the deceased. Allegation against him is that he along with the said Anil
Sharma got the dead body cremated without informing the informant and her

other family members.

Considering the fact that there is no specific allegation against this petitioner, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, East Champaran, Motihari**, in connection with **Chhatauni P.S.Case No.274 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his/her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

B.Kr./-

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