

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29654 of 2015

Arising Out of PS.Case No. -346 Year- 2014 Thana -MEERGANJ District- GOPALGANJ

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Rajeev Kumar Mishra @ Rajeev Mishra Son of Shiv Nath Mishra,
Resident of Village- Narayania, P.S. Mirganj, District Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

12 02-03-2016 Heard Mr. Singh, the counsel for the petitioner and

Md. Ataur Rahman, APP for the State.

The petitioner is husband of the deceased and is facing accusation under Sections 302 and 34 of the Indian Penal Code vide Mirganj P.S. Case No. 346 of 2014.

The uncle of the deceased alleged that his niece was married with the petitioner in 2002 and he suspects that she was done to death by all the accused persons cited in the First Information Report.

The counsel for the petitioner submits that in the entire investigation report, there is no material incriminating the petitioner in the crime. On the contrary, it has come that the deceased was not taking care of herself and had become weak. The husband left the place in connection with his job. No specific

over act of assault is alleged against the petitioner, it is a case on the basis of mere suspicion. It is also submitted that all other co-accused of the case have been granted the privilege of anticipatory bail by this Court order dated 28.07.2015 passed in Cr. Misc. No. 29654 of 2015.

Md. Ataur Rahman, APP for the State, on going through the case diary has not been able to dispute the said contention of the petitioner.

In the facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Learned Chief Judicial Magistrate, Gopalganj in Mirganj P.S. Case No. 346 of 2014 on condition that one of the bailors shall be his own/close family member. The petitioner shall appear on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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