

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32921 of 2015

Arising Out of PS.Case No. -57 Year- 2014 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Deen Dayal Mandal Son of Late Maheshwari Roy, Resident of Village -
Malhipur, P.S. - Sahebpur Kamal, District - Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4. 11-01-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Sahebpur Kamal P.S. Case No. 57/2014 registered for the
offences punishable under Sections 304B and 34 of the Indian
Penal Code.

It is submitted that the petitioner being husband had tried
his level best to save the victim lady even after she tried to commit
suicide and in the said process the petitioner has also received
serious burn injuries.

It is further submitted that in the case diary it has come
on record that at present petitioner was living separately along
with his wife and had come home during the Chhath festival.

It is further submitted that in several paragraphs of the case diary it has come on record that neighbours have stated that when the deceased set herself on fire the petitioner tried to have the fire extinguished but she sustained severe burn injuries and subsequently the petitioner carried her to hospital for her treatment.

Furthermore, the FIR in the present case has been registered after a lapse of two months and no plausible explanation has been offered as to why the FIR was registered after the death of the victim girl by the informant.

Learned counsel for the petitioner also submits that there was some negotiation between the parties for resolving the issue but the same did not work out thereafter the FIR was lodged.

Considering the entire facts and circumstances of the case and there being no cogent material shown to implicate this petitioner in the alleged death of his wife, let the petitioner above-named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned

Judicial Magistrate Ist Class, Begusarai in connection with Sahebpur Kamal P.S. Case No. 57/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further made clear that the petitioner shall make himself available for all necessary investigation as and when required and shall after submission of the charge-sheet present himself once again before the Court below which shall consider his case for bail in accordance with law.

(Anjana Mishra, J.)

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