

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30987 of 2016

Arising Out of PS.Case No. -20 Year- 2015 Thana -MADHEPUR District- MADHUBANI

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Shibesh Thakur @ Shibesh Kumar Thakur S/o Chandra Bali Thakur R/o
Village- Bath, P.S. Madhepur, Distt Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 19-09-2016 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
the present case was, initially, registered under Sections 304(B),
201/34 of the Indian Penal Code but after investigation, police
submitted charge sheet under Sections 302, 201, 498A/34 of the
Indian Penal Code. The written report of the informant goes to
show that date and year of marriage was not disclosed by the
informant in his written report but even then, the officer in charge
of concerned police station registered the case under Sections
304(B), 201/34 of the Indian Penal Code. However, in course of
investigation, when the further statement of informant was
recorded, the informant frankly admitted that marriage of deceased

had taken place with petitioner in the year 2002. The informant also claims that his another daughter, namely, Radha Kumari was not allowed to see the dead body of the deceased when the dead body of the deceased was being taken for cremation. However, in course of investigation, the aforesaid Radha Kumari claims that she noticed some injuries on the person of the deceased. So far as independent witnesses are concerned, they stated that deceased died of her ailment and after that her dead body was cremated.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that investigation against the petitioner has already been completed, 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 Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani in connection with Madhepur P.S. Case No. 20 of 2015.

(Hemant Kumar Srivastava, J)

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