

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43937 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -ANGARGHAT District- SAMASTIPUR

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Santosh Kumar, Son of Mahavir Rai, Resident of Vill.- Birnama, P.S.-
Angarghat, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amitabh Bhardwaj, Advocate

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-02-2016 Heard learned counsel for the petitioner and the
learned A. P.P. for the State.

Petitioner, who is the husband of the deceased
Pramila Devi, apprehends his arrest in connection with Angarghat
P.S. Case No. 10 of 2015 registered for offences punishable under
Sections 498(A), 304(B), 201 and 34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant's
niece, Pramila Devi was married to the petitioner in the year 2004.
After marriage, husband and his parents started demanding
money. In the year 2007, Rs. 3,00,000/- was given to the accused
persons. Again Rs. 5,00,000/- was demanded, but Rs. 1,00,000/-
was given to them after selling land. Again accused persons
demanded money for purchasing Bolero vehicle and on non-

fulfilment of the demand, they killed the victim, Pramila Devi.

It has been submitted by the counsel for the petitioner that petitioner has no criminal antecedent, as is evident from paragraph 3 of this petition and has falsely been implicated in the aforesaid case. It has further been submitted by the learned counsel for the petitioner that marriage between the petitioner and the deceased took place in the year 2004 and it was a love marriage and they have been living happily. It has further been submitted that the mother of the deceased Jhinguri Devi has also affirmed, vide Annexure-2 to this application, that deceased died on account of heart failure and she participated in the cremation ceremony.

Learned A.P.P., on the other, submits that as per paragraphs 44, 45, 46 and 47 of the case diary, there is allegation of *mar-pit* by the petitioner on the deceased, Pramila Devi, but there is no allegation as such, which points out that petitioner was instrumental in causing death of his wife.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate

1st Class, Dalsingsarai, Samastipur in connection with Angarghat
P.S. Case No. 10 of 2015, subject to the conditions as laid down
under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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