

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40189 of 2016

Arising Out of PS.Case No. -26 Year- 2014 Thana -SURYAGARHA District- LAKHISARAI

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1. Amit Kumar @ Lal Babu Son of Gandhi Singh Resident of Village: Sobhani, PS Suryagarha, District Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s Mr. Gopesh Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 08.12.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and the present case was lodged under sections 304B and 201/34 of the Indian Penal Code but the fardbeyan of the informant goes to show that marriage of the deceased had taken place with the petitioner 12 years back. It is curious enough that in spite of the above stated disclosure of the informant, the concerned officer-in-charge lodged the present case for the offence under section 304B of the Indian Penal Code.

Moreover, after investigation, police found the case true under section 306/34 of the Indian Penal Code. The doctor, who conducted the autopsy on the corpus of the deceased, has not found any external or internal injury and the concerned doctor could not ascertain the exact cause of the death of deceased.

Considering the aforesaid facts and circumstances as well as



submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Lakhisarai in Suryagarha P.S. Case no. 26/2014.

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(Hemant Kumar Srivastava,J)

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