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IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14640 of 2016

Arising Out of PS.Case No. -25 Year- 2015 Thana -DHANSOI District- BUXAR

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1. Bhim Ram @ Bhim Kumar Son of Vinay Ram Resident of Village-Karma, PS Dhasoi, District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

... . Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bimlendu Shekher Thakur
For the Opposite Party/s : Mr. Shakir Ahmad(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-04-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Dhansoi Police Station Case No. 25 of 2015, disclosing offence under Section 304B/34 of the Indian Penal Code.

The petitioner is the husband of the deceased. They were married on 14.06.2013. It transpires from the First Information Report that the deceased received burn injuries on 30.01.2015. It also transpires from the First Information Report that she was immediately taken to a local hospital and thereafter to Varanashi for her treatment. Finally, she is said to have died on 11.02.2015 in course of treatment in Safdarjung Hospital in Delhi.

Learned Counsel appearing on behalf of the petitioner has submitted that had there been any intention of the petitioner to cause any harm to the deceased, he and his family members would not have taken her to specialized hospital of Varanashi and thereafter in Delhi. He has further submitted that lodging of the First Information Report on 19.03.2015 without any cogent explanation, though the occurrence had taken place on 30.01.2015, casts serious doubt on the prosecution case.

I find substance in the submission advanced on behalf of the petitioner. This application is, accordingly, allowed.

Let the petitioner, Bhim Ram @ Bhim Kumar, in the event of his arrest or surrender before the Court below within six weeks, 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 Sri Sandeep Singh, Judicial Magistrate, 1st Class, Buxar, in connection with Dhansoi Police Station Case No. 25 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of

failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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