

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10786 of 2016

Arising Out of PS.Case No. -130 Year- 2011 Thana -PHULWARIA District- GOPALGANJ

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1. SANJAY KUSHWAHA @ SANJAY SINGH Son of Mahatam Bhagat,
Resident of Village - Choubey Parasa, P.S. - Phulwariya, District -
Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s Ms. Pushpa Sinha No.2 (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 08.03.2016

Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections
304B, 201/34 of the Indian Penal Code.

Petitioner happens to be husband of the deceased and
according to the prosecution case itself, marriage of the petitioner had
taken place with the deceased five years ago and after two and half
years of her marriage, **Gouna** of the petitioner was performed.

There is allegation against the petitioner that he as well as
his family members used to make illegal demand and also put the
deceased into cruelty and lastly, they committed her murder.

Learned counsel for the petitioner submits that the deceased
was patient of appendicitis and, as a matter of fact, her condition
started deteriorating and she was taken to clinic of a private doctor

who referred the deceased to PMCH and while deceased was being taken to PMCH, she died on her way. Learned counsel for the petitioner also points out that written report of the informant disclosed that at the time of death of the deceased, petitioner was not at his home rather he was in abroad.

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. Sessions Judge V, Gopalganj in Sessions trial no. 192/2014 arising out of Phulwariya P.S. Case no. 130/2011.

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(Hemant Kumar Srivastava,J)

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