

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40394 of 2016

Arising Out of PS.Case No. -64 Year- 2016 Thana -PACHRUKHI District- SIWAN

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1. Sunil Sah, son of Mahadeo Sah, resident of Village- Pengwara
(Gopalpur), P.S.- Pachrukhi, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 22-11-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections-304B/34 of the Indian Penal Code.

Petitioner happens to be husband of the deceased and
the marriage of the petitioner had taken place with the deceased in
the year, 2002.

Initially, the case was registered under Sections-
304B/34 of the Indian Penal Code but after investigation, police
submitted charge sheet against the petitioner for the offence under
Section-302 of the Indian Penal Code.

Learned counsel for the petitioner submits that in
course of investigation, the daughter of petitioner as well as some

other witnesses specifically, stated that the deceased committed suicide in anger as prior to the occurrence; a quarrel had taken place between the petitioner and the deceased. It is further submitted that even if, the aforesaid statement assumed to be true, then also, it is not a case of Section-302 of the Indian Penal Code.

Considering the above-said facts and circumstances of the case as well as submission of the parties and also taking note of this fact that the investigation against the petitioner has already been completed, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Pachrukhi P.S. Case No. 64 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Siwan.

(Hemant Kumar Srivastava, J)

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