

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33609 of 2016

Arising Out of PS.Case No. -86 Year- 2015 Thana -PARSABAZAR District- PATNA

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1. Sudhir Singh @ Sudhir Kumar S/o Sri Awdhesh Singh Resident of
Village- Parsa Sirapur, P.S. Parsa Bazar, Distt Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

7 15-12-2016

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and initially, the case was lodged under Section-304B/34 of the Indian Penal Code but after investigation, police submitted charge sheet under Sections-302/34 of the Indian Penal Code.

It is an admitted position that relation of the deceased with the petitioner was not cordial and she had filed a complaint case bearing Complaint Case No. 471 of 2013 against the petitioner and in that case, the petitioner got bail on the condition that he will keep the deceased at his home and, thereafter, the deceased went to the house of the petitioner.

The informant claims that the deceased was,



mercilessly, beaten and subsequently, she was thrown at the house of her sister.

Submission on behalf of petitioner is that no doubt, the deceased was taken to the house of petitioner on the direction of the court but subsequently, the deceased left house of the petitioner voluntarily and started residing at her sister's place, where she was found injured and after that, she was taken to hospital where she died in course of her treatment. It is further submitted that except suspicion, there is nothing against the petitioner because not a single prosecution witness claimed to have seen the petitioner and others, throwing the deceased at the house of her sister.

The investigation against the petitioner has already been completed and therefore, considering the above-said facts and circumstances of the case as well as submission of the parties, 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 Parsa Bazar P.S. Case No. 86 of 2015 to the satisfaction of Sri Atul Singh, J.M., Patna.

(Hemant Kumar Srivastava, J)

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