

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3557 of 2016

Arising Out of PS.Case No. -231 Year- 2015 Thana -NAUBATPUR District- PATNA

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Santosh Kumar son of Ram Vinod Sharma @ Khiladi Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti, Advocate

For the Opposite Party/s : Mr. Navin Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 25-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the victim is languishing in custody since 01.12.2015 in a case registered for the offences punishable under sections 498A,326,504,323,306 and 341 of the Indian Penal Code.

The prosecution case is that the sister of the informant was married with the petitioner about 12 years prior to her death. The victim made an attempt to commit suicide by putting herself on fire on 24.04.2015, consequently the victim was admitted to PMCH where, in course of treatment, she died.



In Course of investigation, the victim's statement was recorded in PMCH wherein she stated that due to torture inflicted by the in-laws particularly the husband, she was residing at her parents' house since last three months. on 19.04.2015, the petitioner came and took thumb impression of the victim on blank paper and threatened to perform second marriage. Hence, she made an attempt to commit suicide.

It is submitted by learned Senior Counsel for the petitioner that admittedly the petitioner met with the victim on 19.04.2015 whereas the victim made attempt to commit suicide on 24.04.2015, hence it cannot be said that the petitioner abetted the offence.

Considering the nature of accusation and the fact that at the time when the victim made an attempt to commit suicide admittedly the petitioner was not present there, let the above named petitioner 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 learned Judicial Magistrate, 1st Class, Danapur, Patna in connection with Naubatpur P.S. Case No.231/2015.

It is made clear that non-cooperation in the

investigation by the petitioner will give liberty to the learned
court below to cancel the bail bonds of the petitioner.

Ashwini/-

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(Dinesh Kumar Singh, J)