

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38018 of 2015

Arising Out of PS.Case No. -263 Year- 2014 Thana -SAHEBPUR KAMAL District- BEGUSARAI

1. Lalan Singh @ Parashuram Singh S/o Sri Jay Prakash Singh Resident of Village Thuthi, Mohanpur, P.O. + P.S. Chautham, District Khagariya, at present posted as a Government Employee Prakhanda Shikshak in Middle School, Shankar Shyam Buccha, Block Chautham, District Khagariya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate
With Mr. Anant Kumar-1

For the Opposite Party/s : Mr. Braj Kishore Prasad(APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 09-02-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Sahebpur Kamal P.S. Case No. 263 of 2014, disclosing offences under Sections 328 and 302 of the Indian Penal Code.

The petitioner is the husband of the deceased. It is evident from the First Information Report that at the time of her death, the deceased was at her mother's place. It is alleged in the First Information Report that petitioner was also there and in the absence of the mother of the deceased, the petitioner administered her poison leading to her death.



Learned Senior Counsel appearing on behalf of the petitioner submits that the allegation as contained in the First Information Report has not at all been corroborated by any witness in course of investigation. Learned Senior Counsel has also submitted that the family members of the informant subsequently realized their mistake and they have filed an application before the Court below for resolving the dispute.

Learned Additional Public Prosecutor appearing on behalf of the State has not been able to point out from the case diary, any material collected in course of investigation to demonstrate petitioner's role in administering poison.

Considering the submissions as above, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below, 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 the learned Judicial Magistrate Ist Class, Begusarai in Sahebpur Kamal P.S. Case No. 263 of 2014, G.R. No. 4313 of 2014, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

U			
---	--	--	--