

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23978 of 2017

Arising Out of PS.Case No. -1047 Year- 2015 Thana -BIHTA District- PATNA

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Tuntun Kahar @ Tuntun Kumar @ Tuntun Ram, Son of Late Bineshwar Ram, Resident of Village- Akhatiyarpur, P.O. & P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 14-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Bihta P.S. Case No.1047 of 2015 registered under Sections 498(A), 341, 323, 324, 307, 326 and, later on, added Section 302 of the Indian Penal Code.

The accusation is that on 24.12.2015, the petitioner came to his house in a drunken state and when his wife, the sister of the informant, made protest to drink liquor by him, this petitioner started to cause assault her and poured kerosene oil on her saree and put on fire. On receiving such information, the informant alongwith others went to the house of his sister and took her to the hospital for treatment but she died on 11.02.2016.

Learned counsel appearing on behalf of the petitioner



submits that it would appear from the F.I.R. that the marriage of the petitioner was performed with the deceased before 18 years of the occurrence. In fact, the deceased, who is the sister of the informant and wife of the petitioner, sustained burn injury in course of cooking meal and she was rushed for treatment to the hospital and, later on, she went to her Maika, where she died on 11.02.2016. The post-mortem examination of the deceased was held on the same day in which the cause of her death has been shown as due to lack of blood and anemia leading to heart failure. The petitioner having no criminal antecedent is in custody since 01.04.2017. Further submission is that, on investigation, the chargesheet has already been submitted against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Danapur, District-Patna, in connection with Bihta P.S. Case No.1047 of 2015.

(Rajendra Kumar Mishra, J)

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