

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21134 of 2017**

Arising Out of PS. Case No.-74 Year-2015 Thana- GADHPURA District- Begusarai

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Amit Kumar S/o Ram Lochan Singh, Resident of Village- Korai, P.S.-  
Garhpura, District- Begusarai ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. SRI MANISH KUMAR 2

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

3      10-08-2017                      Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State of Bihar.

This application, for grant of anticipatory bail, arises out of Garhpura Police Station Case No. 74 of 2015, disclosing offence under Sections 498A/304B/201 of the Indian Penal Code.

I have perused the case diary, from which it appears that Police, upon completion of investigation, have submitted final report, holding the allegation to be not true. The learned Court below has, however, differed with the police report and has taken cognizance of the offence.

Learned Counsel for the petitioner has submitted that the deceased died of cancer and in support of said submission, the medical prescriptions have also been brought on record.

The submission is corroborated by the materials



collected in course of investigation.

The petitioner is the husband of the deceased and in my view, a case for grant of anticipatory bail is made out.

This application is, accordingly, allowed.

Let the petitioner, Amit Kumar, in the event of his arrest or surrender before the Court below within a period of six weeks from today, 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 Additional Chief Judicial Magistrate IV, Begusarai, in connection with Garhpura Police Station Case No. 74 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

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 below on two consecutive occasions, his bail bond shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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