

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28207 of 2017

Arising Out of PS.Case No. -496 Year- 2016 Thana -PHULWARI District- PATNA

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1. Pramod Kumar, aged About 62 Years, Son of Rameshwar Sharma @
Rameshwar Prasad, Resident of Village & P.S.- Janipur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 306/34 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioner assaulted the daughter of the informant with club, brick,
stone, fists and fat with intention to kill her. Thereafter accused
Santosh Sharma assaulted with iron rod on her head and pressed
her neck, as a result of which she died.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner is the husband of the deceased. The marriage had taken
place as back as in the year 1981. The alleged date of occurrence
is 13.08.2016, whereas the F.I.R. has been instituted on 1.9.2016.



Delay has not been explained by the prosecution. The daughter of the deceased got an U.D. case instituted, which is Annexure-2 to the present application, where she has accepted that the deceased died due to committing suicide. The postmortem report (Annexure-4) also does not show that there is any external injury on the body of the deceased.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Shema Eram, Judicial Magistrate, 1st class, Patna in connection with Phulwarisharif P.S. case No.496 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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