

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25322 of 2017

Arising Out of PS.Case No. -280 Year- 2016 Thana -MAKHDUMPUR District- JEHANABAD

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1. Mantu Sharma, Son of Ramanuj Sharma, Resident of Village- Paibigha, P.S.- Paibigha, (Belaganj), District- Gaya (wrongly written as Resident of Village- Lakhsambha, P.S.- Makhdumpur District- Jehanabad in Coulun of the FIR)

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Adv.

For the Opposite Party/s : Mr. Sri Asharaf Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 23-08-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner, who is brother-in-law of the victim, seeks pre-arrest bail in connection with Makhdumpur P.S.Case No. 280 of 2016 registered under Section 304-B/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that in course of investigation it transpired that the victim Khusboo Kumari is alive and she is undergoing treatment at a mental hospital in Kolkata. He has submitted that even the informant of the case has sent information in this regard to the Investigating Officer of the case.



Learned counsel for the State has submitted that in para-42 of the case diary it has been recorded that the informant Ram Uday Sharma had himself informed that his daughter is undergoing treatment at mental hospital, Kolkata. He has submitted that, however, the aforesaid fact has not been verified by the Investigating Officer of the case as he has never ever visited Kolkata.

Considering the submissions made on behalf of the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above 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 learned Chief Judicial Magistrate, Jehanabad in connection with Makhdumpur P.S. Case No. 280 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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