

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51871 of 2017

Arising Out of PS.Case No. -91 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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Giraj Prajapati S/o Ram Dayal Prajapati @ Ram Dayal Prajapat, R/o
Village- Kariyawan, P.S.- Muffasil, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 04-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Aurangabad (Mufassil) P.S. Case No. 91 of 2017 dated 12.06.2017 instituted for the offence under Section 302 of the Indian Penal Code.

The FIR has been lodged by the father of the deceased who has alleged that his daughter (deceased) was married to the petitioner eight years ago and out of wedlock two children were born, but they are no more. About six months ago, the daughter/deceased had given birth to another child and the wife of the informant had gone to see her daughter and the child but did not complain about any ill-treatment. Later, the informant was communicated that the deceased has died.



Learned counsel for the petitioner submits that nothing could be discerned in the post-mortem report regarding the cause of death and that there could not have been any intention of the petitioner to kill his wife with whom he was married eight years ago and had two children in the past and his wife had only recently delivered again. The petitioner who is the husband of the deceased has submitted that unless the relationship between the spouses would not have been cordial, the informant would have been told about the disturbed marital life of the deceased.

The petitioner is in custody since 12.06.2017.

Taking into account the aforesaid facts, this Court is inclined to grant bail to the petitioner.

In the facts and circumstances, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Mufassil) P.S. Case No. 91 of 2017.

(Ashutosh Kumar, J)

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