

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35444 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -BELCHHI District- PATNA

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Upendra Kumar, Son of Krishna Nandan Prasad, Resident of Village-
Jodhan Bigha, P.S.- Belchhi, District- Patna..... .. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with
Belchhi P.S. Case No. 06 of 2017 registered for the offence
punishable under Sections 306/34 of the Indian Penal Code.

Allegedly, the wife of the petitioner committed suicide
by burning herself and she was brought for treatment in
government hospital and thereafter, she was referred to PMCH
where during treatment she died. The petitioner came after getting
information to PMCH and it is alleged that the occurrence has
taken place due to family dispute.

Submission is of false implication and that the petitioner
was not present at the place of occurrence, he was at Delhi and
from there he came to PMCH after getting the information, from
the FIR itself no offence against the petitioner is made out and as



such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that in the FIR itself it is mentioned that the petitioner came to PMCH directly after getting information and he was not present at the time of occurrence, the petitioner above named, in the event of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh in connection with Belchhi P.S. Case No. 06 of 2017, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Jitendra Mohan Sharma, J)

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