

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45346 of 2017

Arising Out of PS.Case No. -350 Year- 2016 Thana -GAYA KOTWALI District- GAYA

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Deepak Kumar, Son of Late Brahamdeo Prasad, Resident of Mohalla-
Bangla Asthan, P.S.- Kotwali, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mahtab Alam

For the Opposite Party/s : Mr. Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Kotwali
P.S. Case No. 350 of 2016, registered for the offences punishable
under Section 302 of the Indian Penal Code.

Allegation against the petitioner is of causing death of his
wife.

Submission of learned counsel for the petitioner is that as
a matter of fact she fell down from staircase and sustained injuries
and she was taken to hospital and thereafter she died. Further
submission is that her family members were informed about her
death and petitioner has falsely been implicated in this case and he
is in custody for five months.

Heard learned APP and learned counsel for the
informant. They have opposed the prayer for bail on the ground
that one abrasion was found on the neck of deceased and
petitioner has not disclosed as to how she died.



Having heard both sides and in view of facts and circumstances, as stated above, and even post mortem report does not show that she died due to the injuries, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Kotwali P.S.Case No. 350 of 2016, subject to the conditions as follows :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and appear on each and every date in court and on failure to appear on two consecutive dates without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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