

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1045 of 2017

Arising Out of PS.Case No. -602 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Harendra Kumar Son of Hazari Sao Resident of Khapuri, P.S. Dulhin
Bazar, Distt- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Yogendra Sah Son of Late Jagdish Sao Resident of Mohalla-
Ballamichak Narayan Nagar, P.S. Beur, Distt. Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Manoranjan Kumar, Advocate.
For the State : Mr. Chandra Bhushan Prasad, A.P.P.
For the Complainant/Informant: Mr. D.K. Sinha, Sr. Advocate
Mr. Abhinay Raj, Advocate.

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

2 18-01-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

Complainant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Complaint Case No. 602
of 2015 for the offences punishable under sections 498-A, 304-B,
506 and 120 B of the I.P.C.

Rani Kumari, the daughter of the complainant, was
married with the petitioner and immediately after the marriage the
petitioner demanded Rs. 2,00,000/-, chain and other things. First
pregnancy of the complainant's daughter was terminated and in



the second time when she conceived, she was admitted to Shakuntala Nursing Home but she died due to negligence of the accused.

Submission is that the accusation is only general and omnibus in nature, the victim died after three years of her marriage in a nursing home during treatment of pregnancy complications, the petitioner took the victim to the nursing home where she died, the petitioner was residing in Madhya Pradesh and he was not present at the time of death of his wife and as such the petitioner also deserves sympathetic consideration as in this case other co-accused have been allowed pre-arrest bail.

The learned A.P.P. duly assisted by the learned counsel for the complainant submits that due to negligence on the part of the petitioner and his family members the daughter of the complainant died and further without postmortem the dead body was cremated.

In the facts and circumstances as stated above, considering that the victim died in the nursing home being admitted for the pregnancy complication and the complaint was filed after three and half months of death of the victim and admittedly at the time of her death the petitioner was in Madhya Pradesh and as such the petitioner, in the event of his arrest or



surrender before the court below within six weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. Smt. Kiran Chaturvedi, J.M. 1st Class, Patna in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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