

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 52750 of 2017

Arising Out of PS.Case No. -222 Year- 2016 Thana -DIDARGANJ District- PATNA

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Shivshankar Rai, S/o Bhola Rai, Resident of Village Sabbalpur, P.S
Didarganj, District Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Bansh Dubey, Advocate

For the Opposite Party : Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 304/34 of the
Indian Penal Code.

According to FIR, a matrimonial dispute was going
on between the informant and the petitioner. In the aforesaid
background, allegation is that petitioner threw his son aged about
15 months on the ground and during course of treatment he died.

Submission of the learned counsel is that the child
might have died due to some illness as certificate of the Doctor at
Annexure-2 and false allegation is there due to matrimonial
dispute.

Considering the aforesaid facts, let the petitioner,



above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Didarganj Police Station Case No. 222 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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