

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56650 of 2017

Arising Out of PS.Case No. -154 Year- 2015 Thana -KARPI District- JEHANABAD

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1. Dilip Kumar, Son of Sheo Bachan Singh, Resident of Village- Karpi,
P.S.- Karpi, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 12-01-2018 Heard the counsels for the parties.

The petitioner seeks bail in connection with Karpi P.S.
Case No. 154/2015 dated 09.09.2015 instituted for the offence
under Section 304(B)/34 of the Indian Penal Code.

The petitioner is the husband of the deceased. From the
F.I.R. itself, it appears that the family members of the petitioner
had taken the deceased to Jehanabad Hospital as she was pregnant.
There, the deceased delivered a baby boy, but because of
excessive bleeding, the deceased was referred to P.M.C.H., Patna
for better treatment, where she died. Though, it has been alleged in
the F.I.R. that the death was because of the deceased having been
assaulted by the petitioner by means of belt and *lathi*, but that is
not borne out by the medical papers, brought on record by the



petitioner.

From the records, it appears that the deceased had delivered a baby boy in Amar Shahid Jagdev Prasad Hospital. Thereafter, because of haematoma having developed in the genitalia of the deceased, he was referred to P.M.C.H., Patna.

Learned counsel for the petitioner has drawn the attention of this Court to Annexure-3 (colly) indicating that shortly before the death, the condition of the deceased was not normal. The Medical Officer of Jehanabad has also given a certificate stating that the deceased died on 07.09.2015 in the emergency ward of P.M.C.H. However, before that, because of haematoma and shortage of blood, the deceased was advised for blood transfusion on 29.08.2015. At Jehanabad, there was no reference of any assault on the deceased. The death certificate, which is also part of the petition, indicates that the death was because of Septicemia. It has further been submitted that with the death of the deceased, there had been snapping of the relationship between the informant and the petitioner's family and only because of this that this false case has been lodged.

It appears that, as suggested by the learned counsel for the petitioner, after the death of the deceased, an attempt was made by the father of the deceased to get some compensation and



on refusal, the present case has been lodged.

The petitioner is in custody since 07.06.2017.

Considering the aforesaid facts and that every effort was made by the petitioner and other members of his family for arranging for blood transfusion for the deceased, this Court is inclined to grant bail to him.

The petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal in connection with Karpi P.S. Case No. 154/2015.

(Ashutosh Kumar, J.)

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