

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.52703 of 2018**

Arising Out of PS.Case No. -226 Year- 2018 Thana -GAYA KOTWALI District-  
GAYA

=====

Sudhir Kumar, son of Subedar Prasad, resident of Village-  
Bibipur, P.S. Masaurhi, District Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Gauri Shankar Prasad, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

3    29-10-2018                      The petitioner seeks bail in anticipation of his arrest in connection with Gaya Kotwali P.S. Case No. 226 of 2018, dated 06.05.2018, instituted for the offences punishable under Sections 363 and 365/34 of the Indian Penal Code. Later on, Sections 302 and 201/34 of the Indian Penal Code were also added.

The petitioner is the elder brother of the husband of the deceased.

The learned counsel for the petitioner has submitted that the petitioner has been made accused in this case only because of his relation with the husband of the



deceased. There is a general and omnibus allegation that before her death, the deceased was troubled and harassed at the hands of the family members of her husband. The learned counsel for the petitioner has drawn the attention of this Court to the fact that the husband of the deceased runs a pathological lab and is absolutely separate in mess and residence from the petitioner, who lives at Gaya, and carries on his own vocation for the purposes of leading his life.

Apart from the fact that there is a bald allegation in the First Information Report against the petitioner and others and the relationship between the husband of the deceased and the petitioner, there is no other material to connect the petitioner with the offence.

Considering the aforesaid facts, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Gaya Kotwali P.S. Case No. 226 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Ashutosh Kumar, J)**

Praveen-II/-

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