

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49569 of 2019

Arising Out of PS. Case No.-92 Year-2018 Thana- SIMRA District- West Champaran

Vikash Kumar @ Vikash Kumar Srivastava Son of Late Anirudh Prasad
Resident of Village - Narainpur, Ward No.3, P.S.- Bagaha (Pathkhoulia O.P.),
Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 328, 306, 34 of the Indian Penal Code.

The prosecution case in brief is that one Jagmohan is
alleged to have administered poison, as a result of which, the
deceased died.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 21-05-2019. Charge sheet has
already been submitted. The petitioner happens to be second
husband of wife of the deceased. The petitioner had no



knowledge regarding the first marriage of his wife, which was solemnized with the deceased. When the deceased came to know regarding the second marriage of his wife with the petitioner, he is alleged to have committed suicide. The petitioner has been made accused in the present case due to mistake of fact.

On behalf of the State, it is submitted that the petitioner **is not named** in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Bagaha, West Champaran in connection with Semra (Chiutaha) P.S. Case No. 92 of 2018.

(Sudhir Singh, J)

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