

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48737 of 2019

Arising Out of PS. Case No.-627 Year-2016 Thana- COMPLAINT CASE District- Lakhisarai

RAKESH KUMAR S/O Jai Prakash Sao Resident of Ward No.- 30, Naya Bazar Lakhisaria, Lal Pahari Chowk, P.S. Lakhisarai, District Lakhisarai.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sulochana Devi Wife of Shiv Shankar Prasad Resident of Village- Badh Bazar, Gola Road, Near Gauri Shankar Mandir, at present at Bazar Samiti, Maa Kailash Nagar Dalbatti, P.S.- Kabaiya, District- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 02-03-2020 Heard the parties.

The petitioner seeks regular bail in connection with Complaint Case No.627© of 2016 dated 7.9.2016 registered for offences punishable under Section 304(B) of the Indian Penal Code.

Case is under Section 304(B) of the Indian Penal Code instituted on a complaint case and the petitioner happens to be husband of the deceased.

Submission of the learned counsel for the petitioner is that the police after inquiry found true the death of the deceased as an accidental but in spite of that the case has been lodged. Later on they have compromised the case also. It is also



submitted that earlier the notice was issued to O.P.no.2 but in spite of service of notice no body appeared on behalf of the O.P.no.2. Petitioner is in custody since 17.6.2019 and the informant has also been examined. During the trial, she has also not supported the prosecution case.

Heard learned A.P.P. and perused the record, from which it appears that earlier notice was issued to the O.P.no.2 but she refused to accept the notice, which will appear from order dated 4.11.2019 .

Having heard both sides and considering the above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Lakhisarai in connection with Complaint Case No.627© of 2016.

Accordingly, this application is allowed.

(Vinod Kumar Sinha, J)

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