

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75918 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- SHASTRINAGAR District- Patna

Satyendra Kumar S/o Late Bishwanath Prasad Resident of Punaichak, P.S.-
Shastri Nagar, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 19-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Shastri Nagar P.S.Case No. 39 of 2019 registered under Sections
302 and 201 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner
that there is no truth behind the allegations mentioned in the
FIR. The death of the wife of the petitioner took place after 17
years of marriage. There was no prior complaint against the
petitioner or any of his family members of subjecting the
deceased to cruelty for any reason. The informant, who happens
to be the father-in-law of the petitioner, instituted the case in
utter haste and the body of the deceased was taken into



possession by the police and was sent for post-mortem examination. The doctor, who conducted autopsy, did not find anything abnormal. He preserved the viscera and kept his opinion reserved till receipt of the viscera report. The viscera report has not been received till date. He contended that several independent witnesses examined during investigation have made their statements in paragraphs 101, 102, 103, 104, 106 and 107 of the case diary and they have categorically stated that the wife of the petitioner died due to illness and it is not a case of homicidal death.

Learned counsel for the State has opposed the application for grant of pre-arrest bail. He submitted that the informant and his family members have clearly alleged that after the marriage the petitioner and his relatives used to subject the deceased to cruelty.

Considering the materials on record and the submissions made above, in the event of arrest or surrender before the court below, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-IV, Patna in connection with Shastri Nagar P.S. Case No. 39 of 2019 subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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