

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45638 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- Kavaia District- Lakhisarai

=====

Gautam Kumar @ Goutum Kumar Son of Late Bishwanath Sao R/O Village-
Kabaiya Chowk, Ward no. 32, P.S.- Lakhisarai, Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kabaiya P.S. Case No. 06 of 2024 registered for the offence
punishable under Sections 304(B)/34 of the Indian Penal Code.

3. The petitioner is the husband of the deceased who
is alleged to have tortured and assaulted the deceased and
thereafter she was admitted in a hospital where she died.

4. It has been submitted by the learned counsel for the
petitioner that the deceased had filed an application for divorce
by mutual consent and she died at her father's place (*mayaka*)
and there is no ante-mortem injury to support the prosecution
case. He further submits that the cause of death of the deceased
is still unknown and viscera has been sent to the FSL, the report
of which is awaited.



5. Mr. Jharkhandi Upadhyay, learned APP has gone through the case diary and has submitted that in the case diary also it has also come that the deceased was staying at her father's place.

6. The petitioner is in jail since 01.03.2024.

7. Considering the fact that the deceased died at her father's place and there is no ante-mortem injury which falsifies the prosecution case, this application is allowed.

8. Let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Lakhisarai in connection with Kabaiya P.S. Case No. 06 of 2024.

9. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Noncompliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

P. Kumar

U		T	
---	--	---	--

