

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28618 of 2015

Arising Out of PS.Case No. -431 Year- 2014 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Saddam Mian Son of Ishaque Mian Resident of Village - Khutiarwa, P.S.
- Sugauli, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-10-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sugauli
P.S. Case No. 431 of 2014 registered for the offence punishable
under Sections 304B/34 of the Indian Penal Code.

The petitioner was married with the daughter of the
informant seven years ago and due to non-fulfillment of demand
of motorcycle she was strangled with rope to death.

Submission is of false implication and that the petitioner
was married 12 years ago and as his wife did not become mother
though she was treated, she was mentally disturbed and committed
suicide by hanging with a rope and then the informant lodged this

case with false story. No independent witness has supported the prosecution story. The wife of the petitioner was immediately admitted to Rahmania Medical Centre Pvt. Ltd. but she could not survive and died. The petitioner is suffering in custody since 20.01.2015 and as such he deserves sympathetic consideration to which the learned APP opposes by submitting that in post mortem report also the doctor has found bruises on her neck and cause of death has been ascertained due to strangulation leading to asphyxia and the witnesses have supported the allegation.

In the facts and circumstances stated above and considering that in the post mortem report also the cause of death has been noticed as strangulation, this Court, at this stage, is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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