

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33439 of 2014

Arising Out of PS.Case No. -365 Year- 2012 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

=====

Kayamat Mian Son of late Suleman Mian Resident of Village- Ram Nagar
Gaighat, P.S. Harsidhi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. S.M.Rahman(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

03/ 12-01-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is languishing in custody
since 26.05.2014 in a case registered for the offences punishable
under Sections 302/34 of the Indian Penal Code.

It is alleged that the Chaukidar of the
village received information that some occurrence took place in
the village, he visited the house of Md. Ijrail Mian and found the
dead body of Hariba Khatoon. The informant also came to know
that Hariba's younger sister Sabina and brother-in-law Kayamat
Mian (petitioner) visited the house prior to the occurrence but they
were not present when the informant reached the place of

occurrence, hence, suspicion was raised that the petitioner and his wife killed Hariba.

It is submitted by learned counsel for the petitioner that the post-mortem report only indicates ligature mark and no resisting injury has been found which suggests that the victim committed suicide. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that the victim was married to some other person, but subsequently relationship got strained.

It is submitted by learned APP that during investigation it also transpired that prior to the occurrence the petitioner and his wife visited the house of the victim.

Considering the circumstantial nature of accusation, let the above named petitioner, 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 365 of 2012.

(Dinesh Kumar Singh, J)

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