

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24989 of 2015

Arising Out of PS.Case No. -38 Year- 2014 Thana -HABIBPUR District- BHAGALPUR

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Md. Babar S/o Late Md. Zaheer R/o Mohalla - Mohiddinapur, Pankha Toli,
P.S. - Habibpur, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Sinha

For the Opposite Party/s : Mr. Jitendra Kr.Singh 1(APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2015

Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case registered under

Section 304/34 of the Indian Penal Code.

The sister of the informant Bibi Rizwan was

married with the petitioner Md. Babar about 14 years ago who

has two sons and three daughters. The husband of the deceased

was drinker and always used to play gamble. Since last one year

the FIR named accused persons including the petitioner used to

assault the deceased. On 20.8.2014 at 7.A.M. the petitioner

demanded cash from his wife, the deceased for playing gamble

and on refusal, the petitioner abused her and other accused

persons also came and assaulted the his sister. Thereafter the

deceased was brought to the hospital and during treatment she died on 22.8.2014.

On behalf of the petitioner it has been submitted that the petitioner is in custody since 10.9.2014. It has been further submitted that from perusal of the post mortem report it would appear that the deceased had died due to septicemia, i.e. due to secondary hemorrhage and not due to the preliminary hemorrhage.

On behalf of the State it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rajeev Kumar, Judicial Magistrate, 1st Class, Bhagalpur in connection with Habibpur P.S. Case No. 38 of 2014, G.R. No. 3273/2014.

(Sudhir Singh, J)

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