

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10647 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -MANSAHI District- KATIHAR

1. Rahman S/o- Late Idrish Ali
2. Naseema Khatoon, W/o- Rahman Both are resident of village- Bhermara,
Masjid Tola, P.S.- Mansahi, District- Katihar

.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

Appearance :

For the Petitioners : Mr. Raghvendra Kumar Singh, Advocate.

For the Opposite Party : Mrs. Asha Kumari (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-05-2015 Heard both sides.

The petitioner seeks bail in Mansahi P.S. Case No. 5 of 2015, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The informant brother of the deceased Noorjahan Khatoon alleged that he got information about the killing of his sister and went to her house. The husband of his sister disclosed that the petitioner assaulted his sister by tiding her in a pillar.

It is submitted that there is no eye witness of the occurrence. Only one witness in para-16 of the case diary disclosed that he saw the petitioner and the deceased quarrelling but he pacify the matters. The allegation made in the FIR is not supported from the post-mortem examination report as the

deceased died due to strangulation.

It appears that the informant came to know about the occurrence from the husband of the deceased. During the course of investigation the husband of the deceased Md. Alauddin disclosed that the petitioners brutally assaulted Noorjahan Khatoon and she died. From perusal of the post-mortem examination report, it appears that Noorjahan Khatoon got many injuries over her body and she died due to strangulation and ligature mark was found all around the neck.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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