

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39752 of 2015**

Arising Out of PS.Case No. -3 Year- 2015 Thana -PHULWARIA District- BEGUSARAI

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Md. Azad son of Md. Sahuddin resident of village Baro Darji Tola, P.S. Fulwariya, District Begusarai.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shyameshwar Dayal

For the Opposite Party/s : Mr. Madan Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      14-10-2015                      Heard learned counsel for the petitioner and  
  
learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody since 1.6.2015 in connection with Fulwariya P.S. Case No. 03/2015, G.R.No. 65/2015 for the offences under Sections 304(B)/34 of the Indian Penal Code.

The prosecution case, in brief, is that on 6.1.2015 at 11.00 A.M. some one of Baro Darzi tola telephoned on mobile of the wife of the informant Sabnam Khatoon that his daughter has been hanged by the members of her in laws and having received the information his wife intimated the informant on telephone who was in Katihar and having received the information the informant came to his house and he along with



his family members and relatives went to in-laws house of her deceased daughter and found that Jeba Pravin was lying dead at coach in her room and he also found black ligature mark on her neck. He has further alleged that two years ago he had married his daughter with Md. Azad of villate Baro Darzi tola, P.S. Phulwaria, Dist. Begusarai according to Muslim customs and in gift he has given 11,000/- rupees and ornaments of four lacs and furniture and his daughter wanted to study further but his son-in-law Md. Azad and father-in-law were not interested for further study and for which usually quarrel took place and they also used to assault the deceased which was regularly intimated to him from the mobile of his daughter.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 1.6.2015 and the charge sheet has already been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. On the alleged date and time of occurrence the petitioner was in school as he happens to be a teacher in Government Middle School. There is no specific allegation against the petitioner and the petitioner has falsely been implicated in the present case.

On behalf of the State it has been submitted that

the petitioner is named in the F.I.R. The petitioner is the husband of the deceased and the deceased has been done to death by the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The prayer is rejected.

However, the Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of one year from the date of receipt/production of a copy of this order.

**(Sudhir Singh, J)**

S.Pandey/-

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