

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8146 of 2016

Arising Out of PS.Case No. -348 Year- 2013 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Md. Mainuddin @ Md. Mainuddin Ansari Son of late Abdul Hamid Mian
Resident of Village Raghunathpur P.s Majhulia District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Dr.Indiwar Kumari(App)

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

4 25-04-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 304 (B) and 201/34 of the I.P.C

Khusboo Khatoon, the maternal grand daughter of the
informant, was married to Md. Imran, the son of the petitioner, on
22.11.2011 and allegedly due to non fulfillment of demand of Rs.
1,00,000/- and Hero Honda Motorcycle she was being tortured by
her husband, the petitioner and other in-laws and for that
panchayati was done wherein amount of Rs. 60,000/- was given to
the petitioner but again after some time they started torturing her

and killed her after assaulting her and made the dead body traceless.

Submission is of false implication and that the petitioner has been living separately from his son Md. Imran, Md. Imran used to work at Delhi and his wife wanted to go with him at Delhi and when Md. Imran did not allow and went away alone his wife Khusboo Khatoon also went away, during investigation this fact has come vide paragraphs- 8, 9, 171 to 174 of the case diary and as such the petitioner being father-in-law who is suffering in custody since 12.01.2016 deserves sympathetic consideration, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the death has been caused just within two years of the marriage and the dead body has also been made traceless. The petitioner has received dowry and he along with others were demanding dowry. Other witnesses have supported the allegation.

In the facts and circumstances as stated above, considering that the petitioner is the father-in-law, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the 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 C.J.M. West Champaran, Bettiah in Majhaulia P.S. Case No. 348 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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