

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10587 of 2016

Arising Out of PS.Case No. -29 Year- 2015 Thana -CHUTIA SAHAYAK District- SASARAM
(ROHTAS)

Mahtab Siddique @ Pintu, S/o Mumtaz Siddique, resident of Village -
Parchha, P.S. - Chutiya, District - Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. S.Dayal(APP)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-05-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner, who is the husband, apprehends arrest
in connection with Chutiya P.S. Case No. 29/15 for offences
alleged under Sections 498-A, 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant
is that on 10.10.2015 he went to village Parchha, sasural of his
daughter and came to know that his daughter was assaulted by her
in-laws, she was burnt and was taken to Dehri for treatment. When
informant reached Dehri petitioner returned back to his village.
Informant also came back and found his daughter dead due to burn
injury.

It has been submitted by the learned counsel for

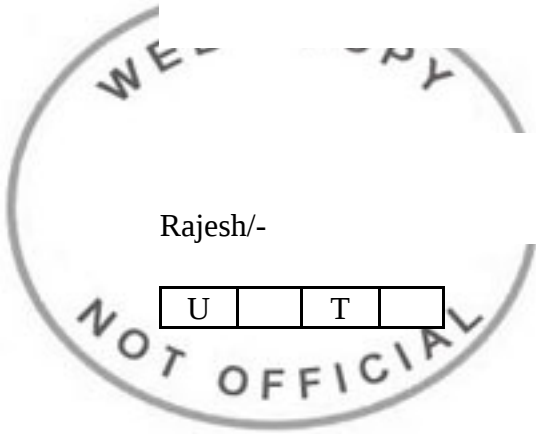


the petitioner that although he is the husband of the deceased but he has committed no offence and has falsely been implicated in the aforesaid case. He submits that the deceased had two children born out of their wedlock and it is a case of suicide by burning herself in the room. He submits that in paragraph 8 of the case diary there is description of place of occurrence, in paragraph 10 the co-villager and even the mother have stated that they all went to the hospital for further treatment, she was to be taken to Banaras and on the way she succumbed. It has further been submitted that even the supervision note has found the case to be true under Section 306 I.P.C.

However, learned APP for the State submits that although there are different versions but the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since there was no earlier complaint of torture, there are different versions in the case diary and the supervision note having found the case under Section 306 I.P.C, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 learned S.D.J.M., Dehri-on-sone, Rohtas, in

connection with Chutiya P.S. Case No. 29/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.



(Nilu Agrawal, J)

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