

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12081 of 2016

Arising Out of PS.Case No. -52 Year- 2015 Thana -BHARGAWAN District- ARRARIA

1. Md. Istakhar Alam, son of Md. Yusuf, Resident of Village- Pakpar, P.S.- Bhargama, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-05-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Bhargama P.S. Case No. 52 of 2015 registered for the offence punishable under Section 304B/34 of the Indian Penal Code.

Bibi Anjum Khatoon, the daughter of the informant was married to the petitioner on 12.02.2015 and allegedly due to non-fulfillment of the demand of Splender motorcycle and a cash of Rs. 2 lac though amount of Rs. 50,000/- was paid, the petitioner and other in-laws strangled her to death.

Submission is of false implication and that nothing was demanded by the petitioner, petitioner was not present at the time of occurrence at village and after getting knowledge he came

and surrendered in the Court below, the wife of petitioner was suffering from chronic epilepsy and she died due to the said attack, postmortem report is collusive and other co-accused either have been allowed anticipatory bail or regular bail and as such the petitioner also deserves sympathetic consideration to which the learned A.P.P. seriously opposes by submitting that during investigation, the witnesses have supported the prosecution version and further the doctor has found swelling and bruise around the neck of the deceased and in the opinion of the doctor, the cause of death was due to asphyxia as a result of strangulation.

In the facts and circumstances stated above, considering the allegation levelled against the petitioner is serious in nature, I am not inclined to enlarge the petitioner on bail. Accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J.)

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