

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17334 of 2016

Arising Out of PS.Case No. -179 Year- 2015 Thana -AMAUUR District- PURNIA

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1. Md. Hasib @ Hasib Son of Rojdil of Village Lal Toli, P.S. Amour,
District Purnia..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Ashraf Ansari (App)

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

ORAL ORDER

4 21-06-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Amour P.S. Case
No. 179 of 2015 registered for the offence punishable under Sections
302/34 of the Indian Penal Code.

Praveena, the sister of the informant, was married to the
petitioner about 12-13 years ago and out of the wedlock there are two
sons and two daughters and allegedly the petitioner used to demand
from his wife causing threats and ultimately she was killed by the
petitioner and other in-laws and there was sign of assault on her body.

Submission is of false implication and that there was cordial
relation between the petitioner and his wife, statement of children of
the deceased has not been recorded, the prosecution story appears not
probable and reliable, nothing was ever demanded by the petitioner,
earlier in this connection no case was lodged and the petitioner is
suffering in custody since 06.10.2015 without any fault. No internal

injury was found on the person of the deceased and cause of death was not ascertained by the medical board and further other co-accused have been allowed pre-arrest bail.

Learned APP submits that the petitioner is the husband and during inquest also external injuries have been found and further medical board has also found some external injuries on the person of the deceased.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Purnia in connection with Amour P.S. Case No. 179 of 2015, 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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