

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55127 of 2015

Arising Out of PS.Case No. -105 Year- 2015 Thana -SABAUR District- BHAGALPUR

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Md. Tinku, Son of Md. Bijlu Resident of village - Bhitti, Police Station - Sabour, District – Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 10-02-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Sabour P.S. Case No.105 of 2015 registered under Sections 304(B) and 120(B) of the Indian Penal code.

The accusation is torturing and killing the deceased, Khusbu, the daughter of the informant, Bibi Shahnaj, by her husband (petitioner) and her parents-in-law.

Learned counsel appearing on behalf of the petitioner submits that the marriage of the deceased with the petitioner was held on 28.05.2008 and the present occurrence is said to be taken place on 30.05.2015, after more than seven years of her marriage,

and due to their wedlock, there are two children, one son aged about 6 years and one daughter aged about 4 years, which has come in paragraph-6 of the case diary. In fact, the deceased was of aggressive nature and due to some dispute in the family she committed suicide. The father of the petitioner has sent the message to the informant regarding the occurrence and the informant on receiving message had come at the house of the petitioner but due to ulterior motive, the informant, who is mother of the deceased, has lodged this false case. Moreover, in the post-mortem examination of the deceased, the cause of death of the deceased is said to be asphyxia due to hanging. Further submission is that the petitioner, who is the husband of the deceased, is in custody since 22.07.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Md. Salim, Judicial Magistrate, First Class, Bhagalpur, in connection with Sabour P.S. Case No.105 of 2015.

(Rajendra Kumar Mishra, J)

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