

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28153 of 2015

Arising Out of PS.Case No. -125 Year- 2013 Thana -BHELDI District- SARAN

=====

1. Shahzad Ansari S/o Usman Ansari Resident of Village Harpur
(Basatpur), Police Station Bheldi, District Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

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

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

8 18-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The FSL Report received in sealed cover has been
opened and perused.

Petitioner seeks bail in connection with Bheldi P.S.
Case No. 125 of 2013 registered for the offence punishable under
Sections 304B/34 of the Indian Penal Code.

Baby Trannum, the daughter of the informant, was
married to petitioner on 29.10.2009 and due to non-fulfillment of
demand of motorcycle and gold chain she was being tortured and
assaulted by the petitioner and other in-laws and ultimately, she
was killed.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, earlier no



complaint was filed anywhere, as a matter of fact the wife of the petitioner was mentally ill and she might have eaten something, resulting, she was suffering from diarrhoea and when she was brought to Garkha Hospital she died in the way and this fact has been stated by independent witnesses vide paragraphs 10 to 14 of the case diary, no external or internal injury has been found by the doctor during post mortem and in Forensic Science Laboratory report Monocrotophos was detected in the viscera which is highly poisonous and the wife of the petitioner might have consumed the same.

Learned APP opposes the prayer of bail by submitting that the petitioner is the husband and his wife died within 7 years of marriage in unnatural circumstance.

In the facts and circumstances stated above, considering the statement of independent witnesses as stated above and further 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 Chief Judicial Magistrate, Saran at Chapra in connection with Bheldi P.S. Case No. 125 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.

Let the FSL report be returned after sealing the same properly.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--