

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42887 of 2015

Arising Out of PS.Case No. -43 Year- 2015 Thana -AMNAUR District- SARAN

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1. Jafaruddin Alam
2. Sarfuddin Alam, Both are sons of Md. Jabbar Miyan, R/o Village -
Sahpur, P.S. Amnaur, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 18-01-2016 Heard the learned counsel for the petitioners as well

as the learned A.P.P.

The petitioners seek bail in a case for the offence

punishable under section 304 B/34 of the I.P.C

Shamsha Khatoon, the sister of the informant, was

married to petitioner no.1 Jafaruddin Alam in the year 2009 and

due to non fulfillment of demand of motorcycle and cash of Rs.

20,000/- she was being tortured and ultimately she was hanged to

death by the in-laws.

Submission is of false implication and that petitioner

no.1 who is husband is not named in the FIR as at the time of

occurrence he was in Saudi Arabia, against petitioner no.2 who is

Dever there is no specific allegation, the wife of petitioner no.1 committed suicide as she was mentally weak and after realizing this fact the informant has filed compromise petition in the court below and further during trial the informant and other witnesses have not supported the prosecution version, to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, considering that now the informant is not supporting the prosecution version and as such both the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M. Saran at Chapra in Amnaur P.S. Case No. 43 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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