

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47962 of 2015

Arising Out of PS.Case No. -137 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Khurshid Alam @ Sk. Khursheed Alam Son of Late Sheikh Dil Hasan,
resident of village - Bardhaiya Tola Bazar, Police Station - Majhaulia,
District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. B.N. Pandey (App)

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

3 14-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Majhaulia
P.S. Case No. 137 of 2015 registered for the offences punishable
under Sections 302, 201, 498 (A)/34 of the Indian Penal Code and
Section 34 of the Dowry Prohibition Act.

Rubi Khatoon, the daughter of the informant was
married to Sheikh Mahfooz Alam, the son of the petitioner, 11
years ago and out of the wed-lock there are five children but due
to non-fulfillment of demand of cash of Rs. 70,000/- to purchase
motorcycle, she was being tortured and assaulted and ultimately
she was done to death and her dead body was also made traceless.

Submission is of false implication and that against the
petitioner there is no specific allegation. He is old father-in-law
and he is living separately from the husband of the deceased,

F.I.R. has been lodged after 5 days of the occurrence, the petitioner never demanded any thing and the petitioner is suffering in custody since 02.04.2015, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Sri. B.N. Pandey, learned A.P.P. for the State has opposes the prayer of bail by submitting that the son of the deceased has supported the prosecution case.

In the facts and circumstances stated above, considering that the petitioner is father-in-law and he is living separately and, as such, 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 C.J.M., Bettiah, District West Champaran arising out of Majhauria P.S. Case No. 137 of 2015 subject to the conditions that one of the bailors must be 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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