

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42124 of 2016

Arising Out of PS.Case No. -86 Year- 2016 Thana -THAKRAHA District-
WESTCHAMPARAN(BETTIAH)

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Immamuddin Ansari, son of Late Rahim Ansari, Village- Koirpatti, Tola-
Bhualpatti, P.S.- Thakaraha, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Shankar Sahay, Advocate
Mr. Vijay Kumar Singh- I, Advocate

For the Opposite Party : Mr. Madhura Nand Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Thakaraha P.S. Case No. 86 of 2016 registered for the offence
punishable under Section 304(B)/34 Indian Penal Code.

Allegedly, Sabrun Khatoon, the daughter of the
informant was married to the petitioner on 12.05.2015, thereafter
the petitioner started casing threats to fulfill the demand of dowry
otherwise to kill her by administering poison and then hearing this
the informant called his daughter, but on 18.05.2016 forcibly
Sabrun was taken away and on 25.05.2016 she was poisoned to
death.



Submission is of false implication and the wife of the petitioner consumed poison herself and she has telephonically stated to her sister in her *naihar*, that her voice was recorded in the telephone as there was voice recorder, this fact has come during supervision vide para 28 of the case diary, the petitioner tried his best to get her treated and she was brought at Gorakhpur for medical treatment where she died. The petitioner is suffering in custody since 27.05.2016 and, as such, he deserves sympathetic consideration as charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail by submitting that during investigation the witnesses have supported the allegation.

In the facts and circumstances stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M., Bagahm West Champaran, in connection with Thakaraha P.S. Case No. 86 of 2016, 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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