

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58534 of 2015

Arising Out of PS.Case No. -179 Year- 2015 Thana -KISHANGANJ District- KISANGANJ

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1. Shahnawaz @ Babul @ Bablu @ Shanwaz S/O Md. Khalil @ Khaliur
Rahman Resident of Village - Satakhmar , P.S. and District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha

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

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

3 26-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with
kishanganj P.S. Case No. 179 of 2015 registered for the offences
punishable under Sections 304(B)/34 of the Indian Penal Code.

Mahinur Begum, the daughter of the informant was
married to the petitioner 7-8 years ago, out of the wedlock there
are two sons and allegedly the petitioner having illicit relationship
with another lady and due to non fulfillment of dowry Mahinur
Begum was killed by the petitioner and other in-laws and in her
neck there was black mark.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, the two sons
have not been examined by the I.O during investigation, further
statement of the informant has also not been recorded and

independent witnesses have stated that due to some petty dispute the wife of the petitioner committed suicide by hanging vide para 11, 12 and 24, and cause of death has also been found asphyxia and shock as a result of hanging.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that charge-sheet has already been submitted and there is no chance of tampering with 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 the like amount each to the satisfaction of the Learned C.J.M., Kishanganj, in connection with Kishanganj P.S. Case No. 179 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)

siddharth/-

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