

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51329 of 2015

Arising Out of PS.Case No. -72 Year- 2015 Thana -BAKHTIYARPUR District- PATNA

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Md. Murshid Sah, S/o Md. Basim Sah, R/o Village- Champapur, P.S.-
Bakhtiyarpur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Ataur Rahman (App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Bakhtiarpur
P.S. Case No. 72/2015 registered under Sections 498A, 393, 341,
506 and 34 of the Indian Penal Code and ¾ of D.P. Act. Later on
Section 304(B) of the Indian Penal Code was added.

The prosecution case is that the informant performed
marriage of his daughter with the petitioner four years back. The
petitioner started torturing due to non-fulfillment of demand of Rs. 2
lacs and on 12.03.2015 his daughter was burnt on sprinkling
kerosene oil in which her father-in-law and mother-in-law had also
participated. The daughter of the informant was referred from
Khusrupur to PMCH, Patna for treatment from where her husband
Md. Murshid Sah fled away. On receiving the information

about the said incident, the informant came. Later on, in course of treatment Sabnam Khatoo, daughter of the informant died at Biharsharif.

Learned counsel for the petitioner submits that in fact Sabnam Khaton, wife of the petitioner had quarrelled with the petitioner due to giving Rs. 1,000/- to a villager as loan. She locked the door from inside and put her on fire. With the help of villagers the door was opened and she was firstly taken to Khusrupur and further referred to PMCH, Patna. It is further submitted that due to ulterior motive, the informant regarding the occurrence dated 12.03.2015 lodged the present case on 01.04.2015 and the deceased, wife of the petitioner later on died in course of treatment on 13.04.2015.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh (Patna) in connection with Bakhtiarpur P.S. Case No. 72/2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J.)

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