

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53837 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -SAHKUND District- BHAGALPUR

=====

Md. Jahid son of Md. Wajid resident of Village Harnath, P.S. Sahkund,
District Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satyabir Bharti

For the Opposite Party/s : Mr. Md.Aslam Ansari(App)

=====

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

ORAL ORDER

3 19-01-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Sahkund
P.S. Case No. 65 of 2015 registered for the offence punishable
under Section 304(B) of the Indian Penal Code.

Bibi Rukhsana was married to the petitioner four years
ago and out of the wed-lock there is a son aged two years but for
dowry, she was being tortured by the petitioner and other in-laws
and ultimately she was strangled to death.

Submission is of false implication and that the
prosecution story as alleged has not been found true during
investigation, resulting all other co-accused have not been charge-
sheeted and against them final form has been filed. The doctor
who has conducted post-mortem examination has found cause of
death due to asphyxia and shock due to hanging and, as such, the

petitioner who is suffering in custody since 16.04.2015, deserves sympathetic consideration.

The learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the petitioner is the husband and he used to quarrel with the deceased for dowry.

In the facts and circumstances stated above, considering the medical evidence and further the custody of the petitioner, now he 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., Bhagalpur arising out of Sahkund P.S. Case No. 65 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)

sushma/-

U			
---	--	--	--