

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43627 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -FALKA District- KATIHAR

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Md. Sabir, Son of Sadique, Resident of Village and Post Morsanda, Police
Station Falka, District Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Najmul Hoda, Advocate.

For the Opposite Party : Mr. Sanjay Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-12-2016 Heard both sides.

The petitioner seeks bail in Falka P.S. Case No. 25 of
2016, registered for the offences punishable under Sections 302
and 34 of the Indian Penal Code.

The informant alleged that his friend Tuntun Sah
disclosed that his son Monu was killed and his dead body was
lying in front of the house of the petitioner Dr. Sabir. His son used
to visit the house of the petitioner and the petitioner and his family
were not liking. A phone call was received on the phone of his son
and the caller disclosed that she was daughter of Dr. Sabir and
requested the informant to send his son to the house of Master.

Learned counsel for the petitioner submits that the
petitioner is an old man aged about 70 years. There is no eye



witness of the occurrence. Altogether seven accused persons are named in the FIR. The prayer for anticipatory bail of petitioner and sons of the petitioner have already been rejected vide order dated 19.05.2016 passed in Cr. Misc. No. 19436 of 2016. There is no substantial evidence but it appears that the petitioner is the father of the girl with whom the deceased was having love affairs. The deceased was called to the house of Master and thereafter the dead body of the deceased was found in front of the house of the petitioner. The witnesses have stated that the deceased had affairs with the daughter of the petitioner and that is why he was killed and his dead body was thrown in front of the house of the petitioner. The deceased was called to the house of the petitioner. It is a case of honour killing.

Considering the facts aforesaid and the fact that there is strong circumstance that the deceased was killed on account of affairs with the daughter of the petitioner, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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