

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11982 of 2017

Arising Out of PS.Case No. -15 Year- 2016 Thana -PATHAMARI District- KISANGANJ

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1. Md. Azad S/o Noor Hussain Resident of Village- Telibhitta, P.S.-
Pathamari, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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

3 10-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Pathamari
P.S. Case No. 15 of 2016 registered for the offence punishable
under Section 304-B/34 of the Indian Penal Code.

Juveda Khatoon, the daughter of the informant was
married to the petitioner about 9 years ago and out of the wed lock
there are two sons and two daughters. Allegedly, due to non-
fulfillment of demand of Rs. 1,00,000/- she was being assaulted
and tortured by the petitioner and other in-laws and ultimately
they killed her by pressing her neck.

Submission is of false implication and that during post-
mortem no external injury has been found over the body of the
deceased. No injury was found over the neck and lip. Doctor has



not ascertained the cause of death and, as such, viscera were sent for chemical examination. The prosecution version is not corroborated by medical evidence. The petitioner is suffering in custody since 22.08.2016. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, he deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner is the husband.

In the facts and circumstances stated above, the petitioner above named 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 Pathamari P.S. Case No. 15 of 2016 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)

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