

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48098 of 2017

Arising Out of PS.Case No. -81 Year- 2017 Thana -BARACHATTI District- GAYA

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Md. Makbul Alam @ Makbul Alam, S/o late Mokhtar Alam, R/o village-
Sindhugarh, P.S.- Mohanpur, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 22-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner seeks regular bail in connection with Barachatti
(Mohanpur) P.S. Case No. 81 of 2017 for offences alleged under
Sections 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that
his daughter Ruksana Parveen was married to one Mahmud Alam
in the year 2007 and there was always quarrel in the family. He
received a phone call from his daughter that they are planning to
kill her and the next day he got information that she has been
hanged to death by her husband and in-laws.

It has been submitted by the learned counsel for the
petitioner that he is brother-in-law of the deceased and has no
concern with the family affairs. He is innocent and has been



falsely implicated in the aforesaid case. He submits that there was partition in the family since 2012 and that the petitioner is languishing in judicial custody since 13.08.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the post-mortem report suggests ligature mark on the neck between chin and the thyroid gland and it was a case of hanging.

Considering the facts and circumstances and the materials on record, since the petitioner is the brother-in-law and general and omnibus allegations has been leveled against the petitioner, let petitioner, above named, be enlarged 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, Sherghati, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 81 of 2017, subject to the following conditions-

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner.

2. Petitioner will appear before the learned court below



during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

khushbu/-

(Nilu Agrawal, J)

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