

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54534 of 2017**

Arising Out of PS.Case No. -35 Year- 2005 Thana -KARJA District- MUZAFFARPUR

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Md. Firoz Son of Md. Manjoor Resident of village- Basatpur Malikan Tola,  
P.S.- Karja, District- Muzaffarpur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

3      22-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Karaja P.S. Case No. 35 of 2005 dated 25.03.2005 which was initially instituted for the offences under Sections 328, 302/34 of the Indian Penal Code but charge-sheet has been submitted under Sections 306/34 of the Indian Penal Code.

The petitioner is the husband of the deceased. He is said to have married the deceased about nine years ago and no child has been born out of the wedlock. Though the allegation in the F.I.R is of killing the deceased but the consistent defence of the petitioner has been that because of her not bearing any child out of the wedlock, she has committed suicide. After the postmortem examination, the organs were sent for viscera



examination. The F.S.L. report indicates that the death was because of consumption of celphos, which in some measure, falls in tune with the defence of the petitioner at this stage. The parents of the petitioner have been granted anticipatory bail by the Patna High Court. One of the parents of the petitioner is suffering from Cancer. The petitioner is also reported to be suffering from AIIDS. The charge-sheet in this case has been submitted on 30.09.2017.

The petitioner is in custody since 08.08.2017.

Taking into account the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 2<sup>nd</sup>, West, Muzaffarpur in connection with Karaja P.S. Case No. 35 of 2005.

**(Ashutosh Kumar, J)**

Shageer/-

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