

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55776 of 2016

Arising Out of PS.Case No. -150 Year- 2016 Thana -MAHARAJGANJ District- SIWAN

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Rustam Khan, S/o Late Lukaman Khan, R/o Village Surbir, P.S.
Maharajganj, District- Siwan. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner : Mr. Chandra Kant, Advocate

For the Opposite Party : Mr. Vinod Shankar Modi (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Maharajganj P.S Case No. 150 of 2016 registered for the offences
punishable under Sections 302/201 and 120(B) of the Indian Penal
Code.

Allegedly, the petitioner being the father of the
deceased killed her as she was having love affair with a boy of
village Daraunda, which was not liked by the family members.

Submission is of false implication and that the
petitioner is suffering in custody since 30.09.2016, there is no eye-
witness of the occurrence, only on suspicion the petitioner and his
family members have been implicated in this case. The daughter
of the petitioner was major one and she has fled away from the
house.

Learned A.P.P. opposes the prayer of bail by



submitting that the petitioner has not given any information to anywhere regarding the disappearance of his daughter and it is a case of honour killing. The petitioner and his family members were seen moving through four-wheeler along with the daughter Afarin and thereafter Afarin was traceless which is evident from the impugned order.

In the facts and circumstances stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction learned A.C.J.M.-5th, Siwan, in connection with Maharajganj P.S. Case No. 150 of 2016, subject to the conditions that one of the bailors must be a 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.)

Rajiv/-

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