

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3982 of 2017

Arising Out of PS.Case No. -19 Year- 2016 Thana -DAGARUA District- PURNIA

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Refajuddin, son of Late Koy, Resident of village Kachna P.S. Dagarwa,
District Purnea. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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

ORAL ORDER

2 28-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Dagarua P.S.
Case No. 19 of 2016 registered for the offence punishable under
Sections 302/34 of the Indian Penal Code.

Allegedly, Alif Noor Khatoon, the daughter of the
informant, was married to Imran, the son of the petitioner, in the
year 2012 and due to non-fulfillment of demand of cow and cash
of Rs. 50,000/- she was being tortured and assaulted and for that
earlier case was lodged under Section 498A, 307 and other allied
sections of the penal code and also under Section 3 of Dowry
Prohibition Act and thereafter, the husband and other in-laws were
trying to kill her and ultimately killed her by strangulating.

Submission is of false implication and that the petitioner
is old father-in-law, he is living separately from the deceased and



her husband having no concern, there is no specific allegation against the petitioner, the allegations are omnibus and general in nature, the petitioner has never demanded anything nor he has tortured the deceased at any point of time and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention and further that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Additional Chief Judicial Magistrate II, Purnea in connection with Dagarua P.S. Case No. 19 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)

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