

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43622 of 2017

Arising Out of PS.Case No. -48 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

=====

Md. Jalaluddin Son of Sharfuddin, R/o Village- Madhopur, P.S.-
Madhuban, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 01-12-2017

Heard the counsels for the petitioner, the informant
and the State.

The petitioner seeks bail in connection with
Madhuban P.S. Case No. 48 of 2017 dated 04.03.2017 instituted
for the offences under Sections 498A, 304B, 120B and 34 of the
Indian Penal Code.

Learned counsel for the petitioner has submitted that
after investigation, charge sheet has been submitted under Sections
326, 307 and 302 of the Indian Penal Code. The petitioner is the
husband of the deceased, who had married her sometimes in the
year 2005. It has been alleged that the petitioner worked in Saudi
Arabia and after coming back from there, he called the deceased to
his home and killed her for non-payment of dowry.

Learned counsel for the petitioner has drawn the



attention of this Court to the fact that the marriage has taken place in the year 2005 and never in the past was there any complaint with respect to demand of any dowry. It also appears from the FIR that on the deceased getting injured/burnt, she was taken to Rahmania hospital, Motihari by the family members of the petitioner. The informant learnt about the occurrence on 01.03.2017 whereas the deceased died in hospital on 03.03.2017. During the course of investigation, the complicity of the other members of the family of the petitioner was not found and against them investigation has been kept pending, awaiting the orders of the superior police officers.

The petitioner is in custody since 05.03.2017.

Taking into account the fact that the charge sheet has already been submitted in this case and the period of custody, this Court is inclined to grant bail to the petitioner.

In the facts and circumstances, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Madhuban P.S. Case No. 48 of 2017.

(Ashutosh Kumar, J)

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