

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1553 of 2017

Arising Out of PS.Case No. -115 Year- 2012 Thana -SAKRA District- MUZAFFARPUR

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1. Md. Naseem, S/o Md. Hanif, resident of village - Maniyari, P.S. Sakra,
District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar -3, Advocate

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh, A.P.P.

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

4 13-02-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

The petitioner seeks bail in connection with Sakra P.S. Case No.
115 of 2012 registered for the offence punishable under Sections
304(B)/34 of the Indian Penal Code.

Sabnam Khatoon, the daughter of the informant, was married to
the petitioner in the year 2009 and out of the wedlock there is a son
aged about two years. Allegedly, due to non-fulfillment of demand of
T.V., fan and motorcycle the petitioner and others used to torture and
assault her and ultimately due to non-fulfillment of their demand they
killed her and thereafter hanged her.

Submission is of false implication and that there was cordial
relation between the wife and the petitioner. She was lady of short
temperament. She has committed suicide herself by hanging. In the post



mortem report the cause of the death was found asphyxia due to hanging and as such, the petitioner who is suffering in custody since 14.06.2016 deserves sympathetic consideration. Other accused have already been granted anticipatory bail by this Court.

The learned A.P.P. submits that the petitioner is the husband.

In the facts and circumstances stated above, considering that the chargesheet has already been submitted and further that there is no chance of tampering with the prosecution evidence and as such, the petitioner 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 Sub Judge, 13th-cum-Additional Chief Judicial Magistrate, Muzaffarpur in connection with Sakra P.S. Case No. 115 of 2012, 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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