

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15474 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

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1. Md. Tanjir,
2. Md. Tanvir @ Tanvir,
Both Sons of Md. Insan, Resident of village - Nirpur, Police Station
Chautham, District – Khagaria Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 18-04-2017 Heard learned Sr. Counsel for the petitioner and

learned counsel representing the State.

The petitioners seek bail in connection with
Chautham P.S. Case No. 105 of 2016 registered for the offences
punishable under Sections 304B/34 of the Indian Penal Code.

Marjina Khatoon, the daughter of the informant, was
married to co-accused Md. Wali about 2 and ½ years ago and out
of the wedlock there is a son. Allegedly, due to non-fulfillment of
demand of motorcycle and cash of Rs. 2 lakhs the husband and
other in-laws including the petitioners killed her by hanging.

Submission is of false implication and that it was love
marriage, the parents of the deceased were not liking the said
marriage and making comment, resulting, the deceased committed
suicide. The husband Wali Ahmad has already been allowed bail



vide Sessions Trial No. 14 of 2017 and the case of the petitioners stands on better footing as they are Dewars and they are in custody since 13.02.2017 and as such they deserve sympathetic consideration as there is no specific allegation against them.

Learned APP fairly submits that the husband has already been allowed bail and against the petitioners there is no specific allegation.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Suppl. Chautham P.S. Case No. 105 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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