

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54656 of 2017**

Arising Out of PS.Case No. -102 Year- 2017 Thana -SHERGHATI District- GAYA

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1. Pappu Khan, son of Md. Sallauddin Khan @ Sallauddin Khan, resident of  
Village- Khandail, P.S.- Sherghati, District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Bhagat

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

3      05-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with Sherghati  
P.S. Case No. 102/2017 dated 21.02.2017 instituted for the  
offence under Section 304(B)/34 of the Indian Penal Code.

The petitioner is the husband of the deceased. The  
uncle of the deceased has lodged the F.I.R. on 21.02.2017 alleging  
that on the same day, he was informed on telephone that his niece  
has been killed. On such information, he reached the matrimonial  
home of the deceased and found the house to be locked from  
outside. With the help of villagers, the lock of the house was  
broken and the informant claimed to have seen the dead body of  
his niece lying on a cot. There was a ligature mark on the neck,  
which gave impression that the deceased was killed by



strangling. It has also been alleged in the F.I.R. that the deceased was being pressurized for bringing additional dowry and non-fulfillment of the same led to mental and physical torture. About such mental or physical torture, the deceased had communicated to her parents.

Learned counsel for the petitioner has submitted that the uncle of the deceased has lodged this case without knowing the real facts. Nothing specific has been alleged against any one of the accused persons and no detail has been provided by the informant regarding the family of the deceased. Though, during the course of investigation, it came to light that the deceased had given birth to a male child, but no effort has been made by the investigating agency to know as to what was the cause of death.

So far as the petitioner is concerned, it has been submitted that for the last several years, he has been working at Ahmadabad and a day after the occurrence, he had travelled from Calcutta to Patna to visit his village home by Go Flight. A copy of the boarding pass and the ticket of the petitioner has been annexed as Annexure-2 to this petition.

The petitioner is in custody since 29.06.2017.

It appears that the petitioner was not present in his home at the time of the death of the deceased.



For the aforestated facts as well as the period of custody of the petitioner, this Court is inclined to grant bail to him.

The petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sherghati (Gaya) in connection with Sherghati P.S. Case No. 102/2017.

**(Ashutosh Kumar, J.)**

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