

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17490 of 2018

Arising Out of PS.Case No. -169 Year- 2016 Thana -POTHIYA District- KISANGANJ

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Md. Mustafa @ Mustafa S/o Sohardin, R/o Village- Naya Bhautayana,
P.s.- Paharkatta, district- Kishanganj Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 04-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner, husband of the deceased, is an accused in a
case registered for offence under sections 304B and 306/34 IPC.

Learned counsel for the petitioner submits that from the
allegation made in the FIR and the investigation of the case it is
apparent that the death of the victim has occurred at her Naihar.
Admittedly, she was not residing at her matrimonial house. He
submits that the petitioner has falsely been implicated in this
case and prior to the lodging of the instant case, the petitioner is
not an accused in any other case. Petitioner is in custody since
12.1.2017.

Considering the aforesaid submissions, prayer for bail of
the petitioner is allowed. Let the petitioner, mentioned above, be
released on bail on furnishing bail bond of Rs.10,000/- with two



sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate III, Kishanganj in Pothia Police Station Case No. 169 of 2016 on the following conditions:-

One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner and

The Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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