

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15495 of 2018

Arising Out of PS.Case No. -41 Year- 2017 Thana -UPHARA District- AURANGABAD

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1. Ainullah Khan @ Ainul Khan S/o Late Late Kalim Khan, R/o
Village+P.O.-Dandwan, P.S.- Uphara, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-05-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302 and 201/34 of the Indian
Penal Code.

The present FIR was lodged on the fardbeyan of
local Chaukidar on recovery of dead body of a female.

Learned counsel for the petitioner submits that in
fact the victim had eloped with the son of this petitioner and had
married with the son of the petitioner in Mumbai which would be
evident from the declaration of the victim along with her
photographs on her solemn affirmation given at the time of
marriage vide Annexure-4. Thereafter, the victim filed a complaint
vide Annexure-7 raising suspicion that she has threat at the hands



of her father for the reason that she has married with a Muslim boy. In the circumstances, submission is that this might be a case of honour killing by the informant of this case.

On the other hand, learned counsel for the informant opposed the prayer for bail on the ground that in the year 2016, itself the case of kidnapping was lodged wherein the petitioner was also an accused and fact is that the daughter of the informant was done to death by the petitioner and others. Though there is no eye witness of the occurrence. Strong suspicion is there against the petitioner.

Considering the entire facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Uphara Police Station Case No. 41 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/Sanjeev

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