

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57496 of 2018

Arising Out of PS.Case No. -214 Year- 2017 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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1. Md. Niyazuddin @ Md. Niyeejuddin @ Niyazuddin @ Niyeejuddin, S/o
Basiruddin, R/o Village- Kagzi Mohala, P.S. Bihar, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 01-11-2018 Heard learned counsel for the petitioner, the informant
and the learned A.P.P. for the State.

The petitioner seeks bail in Soh Sarai P.C. Case No.
214/2017, instituted for the offences under Sections 304(B)/34 of the
Indian Penal Code.

It is alleged in the written report that daughter of
informant was married with this petitioner. She was tortured in her
Sasural for demand of Rs. 1 lacs. It is alleged that petitioner and
other accused persons came to the house of informant and assaulted
her daughter. It is further alleged that on 25.09.2017 the petitioner
mentally tortured the daughter of informant and also assaulted her.
She was patient of Tuberculosis and she died due to torture.

Learned counsel for the petitioner has submitted that



deceased has died at her parents house. From the written report itself, it appears that the deceased was at her parent's house at the time of death.

Post-mortem report of the deceased is available in case diary, wherein doctor has opined cause of death due to some underlying lungs pathology.

Learned counsel for the informant has submitted that charge has been framed in this case.

Learned Additional P.P. after looking into case diary has submitted that deceased was suffering from Tuberculosis.

The petitioner is in custody since 08.05.2018.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in Soh Sarai Case No. 214/2017, subject to the conditions that

- (i) both the bailors shall be the close relative of the petitioner.
- (ii) petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid



reason will result in cancellation of bail
bond of the petitioner and

(iii) if petitioner tamper with the evidence in
the case, prosecution will be at liberty to
move for cancellation of bail bond of the
petitioner.

(Sanjay Priya, J.)

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