

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57112 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- THAWE District- Gopalganj

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Zafar Abbas @ Jaffar Abbas, Son of Tara Hussain, Resident of Village- Mirali
Pur, P.S.- Thawe, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashish Giri

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 05-11-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Informant.

Petitioner seeks bail in **Thawe P.S. Case No. 57 of
2018** registered for the offence punishable under Sections 304B
and 34 of the Indian Penal Code.

Allegation against the petitioner is of killing the niece
of the informant by setting her ablaze by pouring kerosene oil
due to non fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that
the petitioner has committed no offence and has been falsely
implicated in this case. Petitioner was not present at the place of
occurrence rather he was at Siwan. During investigation
neighbourhood witnesses were examined and they told that
deceased had committed suicide by setting her ablaze and door



was closed from inside and same was broke-open. The allegation made in the FIR that she was killed and thereafter was being burnt is denied by Post Mortem Report where death has been attributed to thermal burn injury. Informant has made accused two married sisters although they were married much earlier. Petitioner has got no criminal antecedent and is in custody since 24.04.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate-Gopalganj**, in connection with **Thawe P.S. Case No. 57 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation
of bail of the petitioner.

(S. Kumar, J)

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