

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60418 of 2018

Arising Out of PS. Case No.-116 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Azazul Haque @ Mohammad Azazul Haque, S/o Dosh Mohammad @ Dost Mohammad resident of Village - Sahlaur, P.S. - G.B. Nagar, Tarwara, District - Siwan.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Arbind Kumar Singh, Advocate.
For the State	:	Mr. Surendra Kumar, A.P.P.
For the Informant	:	Mr. Chandra Kant, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2018 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 304(B) and 120(B)/34 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner killed the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The specific case of the prosecution is that



the deceased was strangled to death. From perusal of postmortem report, it is evident that there is no external injury on the body of the deceased and cause of death could not be ascertained. The petitioner has been made accused in the present case due to mistake of fact.

On behalf of the State and informant, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan, in connection with G.B. Nagar P.S. Case No. 116 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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