

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34552 of 2018

Arising Out of PS. Case No.-67 Year-2015 Thana- ROUH District- Nawada

Md. Malick Riyaz @ Malick Reyaj @ Malick Riyaj, S/o Late Shakir, R/o Village- Marui, P.S.- Roh, District- Nawada.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Krishna Deo Raj, Adv.

For the Opposite Party : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

6 16-08-2018 Heard the learned counsel for the petitioner and
learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Roh P.S. Case No. 67 of 2015 arising out of S. Tr. No. 183 of 2017 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Informant who is relative of father of deceased has stated that the marriage of deceased was solemnized with petitioner in the year of 2007 and sufficient presents and ornaments was given in the marriage. The deceased was blessed with two daughters and her in-laws were always pressurizing her for money from the brother of deceased. On 12.08.2015 he came to know that Shamima Khatoon has been killed by her husband/petitioner, sister of husband and brother-in-law of her



husband. In postmortem report the cause of the death has not been ascertained and viscera was directed to be sent to the Forensic Science Laboratory and as such Court had called the case diary as well as viscera report from the court below. It has been reported that viscera was not sent to the Forensic Science Laboratory nor any report is part of the record.

It has been submitted that petitioner is innocent and allegations are omnibus and general in nature. He is in custody since 08.09.2016 and he has no criminal antecedent.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Nawada in connection with Roh P.S. Case No. 67 of 2015 arising out of S. Tr. No. 183 of 2017, subject to 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper



and valid reason trial court shall have liberty to cancel his bail bond.

(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)

Rajiv/manoj

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