

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.499 of 2019

Arising Out of PS. Case No.-269 Year-2018 Thana- NAUTAN District- West Champaran

Ashok Mukhiya Son of Sri Gena Mukhiya Resident of Village-Dabariya
Baikunthwa,P.S. Nautan,Dist.-W.Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 08-03-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Nautan P.S. Case No.
269/2018, instituted for offence under Section(s) 302 of the
Indian Penal Code.

It is alleged in the written report that sister of
informant was married with this petitioner about two years back.
Petitioner had developed illicit relation with other ladies, which
was protested by the sister of informant. Sister of informant had
always informed the informant about her misery. It is alleged
that on 25.05.2018 informant got information on his mobile that
some occurrence has taken place with his sister in her *Sasural*.
Informant went to the house of his sister and found black mark
injury around her neck. The informant raised suspicion that



petitioner has killed his sister by fixing rope around her neck.

Learned counsel for the petitioner has submitted that in the post-mortem report doctor has found ligature mark on upper part of neck near transverse extending from right side of neck, front neck to left side of neck partially. It was deficient on the back of neck.

This Court finds that in the written report there is no allegation against the petitioner of torturing his wife for demand of dowry. Doctor has opined the cause of death due to asphyxia on account of strangulation.

Petitioner is in custody since 27.05.2018.

Considering the aforesaid facts 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, West Champaran at Bettiah, in connection with Nautan P.S. Case No. 269/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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