

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12613 of 2019

Arising Out of PS. Case No.-263 Year-2017 Thana- KHAIRA District- Jamui

MD. AJAM KHAN, Son of Late Abbas Khan, Resident of Village - Jorbaha
Dharampur Chandrasaili, P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

The petitioner and other accused persons allegedly caused murder of the wife of the petitioner by throttling her. The petitioner was in physical relation with the victim since prior to marriage and under pressure of the society, the petitioner married with her.

Submission is that Doctor, who performed the postmortem examination, did not find any external injury on the person of the deceased and opinion regarding death is pending till viscera report. Hence, apparently, the allegation of commission of murder is not corroborated and considering the



aforesaid fact other co-accused have been allowed anticipatory bail by a Coordinate Bench of this Court vide order dated 28.08.2018 passed in Cr. Misc. No. 44858 of 2018 (Annexure-2).

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Khaira Police Station Case No. 263 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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