

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76001 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- HARLAKHI District- Madhubani

Md. Juhi, son of Md. Murtuja, Resident of Village- Kanghar Patti, P.S. Harlakhi, District- Madhubani.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Subhash Kumar Jha, Advocate.
For the Opposite Party : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

6 22-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 16.04.2018 in a case for the offence registered under Sections 302/34 of the IPC.

The prosecution story, in brief, is that the informant performed marriage of her daughter, namely, Afasari Khatoon with this petitioner fifteen years ago and her daughter gave birth two daughters and two sons and her son-in-law (petitioner) performed second marriage with another girl about 2-5 years ago. Thereafter, all accused persons started torture her daughter and on 15.04.2018 at about 10 P.M. all accused persons beaten to her daughter and in faint position, her daughter was brought to D.M.C.H., Darbhanga for treatment and during the treatment, her daughter died.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per F.I.R., the deceased had died due to assault made upon her. From perusal of the postmortem report, it appears that there is no external injury or internal injury on her body. The witnesses in paragraph nos. 30, 31, 32 and 33 have stated that the deceased herself had committed suicide after consuming poison. The said fact is supported from F.S.L. report.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 6th, Madhubani, in connection with Harlakhi P.S. Case No. 70 of 2018, G.R. No. 246 of 2018, corresponding to S.T. No. 267 of 2018.

U.K./-

(Sudhir Singh, J)

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