

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49115 of 2019

Arising Out of PS. Case No.-532 Year-2017 Thana- GAYA KOTWALI District- Gaya

=====

SAHEB SERAJ @ MD. SAHEB SERAJ Son of Late Md. Shamsuddin
Resident of Village - Maroofganj, P.S.- Kotwali, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks Anticipatory bail in connection with
Kotwali P.S. Case No. 532 of 2017 registered under Sections
304(B) and 34 of the Indian Penal Code

Informant is the brother of deceased, who in his
written complaint has alleged that marriage of his sister was
solemnized with the petitioner in the year 2013 and from said
wedlock two children were also born. At the time of marriage
they had given sufficient gifts and jewelries. However, she was
being subjected to torture for non-fulfillment of demand of Rs. 2
lacs by her in laws. It is further alleged that on 13.11.2017 at
about 10:00 PM elder brother of informant was informed that
sister has been admitted in Hospital in burn condition and
thereafter they went Patna and shifted her to Apollo Burn
Hospital and subsequently she was shifted in Jamshedpur. On
18.11.2017 the deceased wished her children to be brought



before her for which petitioner went to bring them but unfortunately she died on 20.11.2017 at 1.30 PM in T.M.H. Hospital, Singhbhum.

It has been submitted on behalf of the petitioner that he has been falsely implicated in this case. The deceased was admitted on 13.11.2017 and remained in Hospital in a conscious condition but no attempt was made by anyone to get her statement recorded. Whole allegation have been concocted after her death and she was cremated on 21.11.2017 but FIR was instituted on 24.11.2017.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Kotwali P.S. Case No. 532 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

