

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52280 of 2019

Arising Out of PS. Case No.-133 Year-2018 Thana- DAGARUA District- Purnia

MD. MOJASSAR @ MOJJASSAR Son of Nayeem Resident of Village-
Dariyapur, P.S-Dagarua, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-11-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

Informant in his written complaint has alleged that his daughter was married to petitioner two years before according to muslim customs, however, after marriage petitioner and her in-laws due to non fulfillment of demand of Rs. 2 Lacs started torturing her and on 06.07.2018 at 7:00 am, he was informed by his relative that his daughter has been killed by her in-laws and on receiving said information he along with his villagers reached the place of occurrence and found his daughter lying dead and it is further alleged that FIR named accused by fists, slaps, danda, dabiya and blunt object have killed his daughter.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. His wife has committed suicide. In post mortem report medical officer has found that in his opinion cause of death is asphyxia due to hanging, suicidal in nature.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Dagarua P.S. Case No. 133 of 2018**, with following 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

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