

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1302 of 2019

Arising Out of PS. Case No.-58 Year-2018 Thana- JALE District- Darbhanga

Md. Jahangir, Son of Late Noor Mohammad Nadaf @ Nur Mohammad,
Resident of Village-Nagardih, P.S-Jalley Dist..-Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shamimul Hoda
For the Opposite Party/s : Mr.Sri Anil Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 27-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Jalley P.S. Case No. 58 of 2018** registered for the offence punishable under Sections 341, 323, 498A, 328, 302 and 34 of the Indian Penal Code.

Informant who is the mother of deceased has stated that on 24.04.2018 at about 9:00 AM she got information about her daughter that she has consumed poison and on said information she called his son-in-law (petitioner) to help her but he refused to do so and fled away and when she reached there she found dead body of her daughter. It has been further alleged that petitioner along with his second wife Tahbila Khatoon



administered poison to her daughter.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to village politics. Allegation against petitioner is false and concocted. Deceased herself committed suicide by consuming poison. Petitioner has got no criminal antecedent and is in custody since 27.07.2018.

Considering the allegation against petitioner, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that the petitioner named above be released on bail **after completing one year of jail custody by the court below** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **A.C.J.M.-IV, Darbhanga**, in connection with **Jalley P.S. Case No. 58 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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