

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9028 of 2020

Arising Out of PS. Case No.-389 Year-2019 Thana- PAROO District- Muzaffarpur

Md. Jumman, Son of Sher Mohammad, Resident of Village- Karmwari, P.S.-
Paroo, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Pushpa Sinha

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 02-06-2020 Heard learned counsel for the petitioner, Mr. Alok
Kumar, learned counsel for the informant and the learned A.P.P.
for the State through Video Conferencing.

The petitioner is accused in connection with Paroo
P.S. Case No. 389 of 2019, registered under Sections 341, 323
and 304B/34 of the Indian Penal Code.

The accusation is that informant, Md. Abdul Karim,
performed *Nikah* of his daughter on 30.05.2006 with the
petitioner and his daughter went to her *Sasural* with gifted
articles but she was being tortured through various modes.
Before six months, his daughter was assaulted by her husband
and in-laws, regarding which, information was given to the
Police Station and the matter was inquired but the husband and



in-laws of his daughter at that time left the house. On 23.09.2019, in the evening, informant came to know that his daughter has been killed by causing assault through iron rod and pressing her neck. Thereafter, informant went to *Sasural* house of his daughter and found that the dead body of his daughter was lying in the courtyard.

Learned counsel for the petitioner submits that it would appear from the FIR that the deceased, wife of the petitioner, has died after 13 years of her marriage, as such, offence under Section 304(B) of the Indian Penal Code would not be attracted. In fact, deceased, daughter of the informant, came in touch of electric shock and died, regarding which, information was given to the informant, who came at the house of the petitioner but with ulterior motive, the present case has been lodged with false allegation. Further submission is that in the postmortem report the cause of death is shown as cardiac respiratory arrest due to electric current and the petitioner is in custody since 26.09.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, 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 the learned Sessions Judge, Muzaffarpur, in connection with Paroo P.S. Case No. 389 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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