

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 11699 of 2020

Arising Out of PS. Case No.-263 Year-2019 Thana- AAJAM NAGAR District- Katihar

Md Rustam (male), aged about 38 years, son of Md. Ainul, Resident of Village Shiv
Rampur, P.S Azamnagar, (Salmari O.P.), District Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 26-08-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Azamnagar P.S. Case No. 263 of 2019 registered under sections 302 and 34 of the Indian Penal Code.

As per allegation in the FIR, the daughter of the informant was married to the elder brother of the petitioner about 15 years ago. It was stated that the accused persons including the petitioner herein used to beat up the informant's daughter and physically and mentally torture her. Informant received a phone call from an unknown person informing about the death of his daughter. He states that on going to her in-laws place, he saw her dead body with a ligature mark.



It is submitted by learned counsel for the petitioner that so far as the petitioner is concerned, he happens to be the '*devar*' of the deceased. The allegations are general and omnibus in nature. So far as the allegation of fight is concerned, there was some dispute between the husband and wife, which lead to the daughter of the informant committing suicide. It is submitted that chargesheet has been submitted under section 306 of the Indian Penal Code. While the husband of the deceased has been granted regular bail vide Cr. Misc. No. 17863 of 2020, the mother-in-law of the deceased has been granted anticipatory bail vide Cr. Misc. No. 15723 of 2020. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner including the grant of bail to the other co-accused, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Azamnagar P.S. Case No. 263 of 2019, he shall be enlarged on bail on furnishing bail bond of



Rs. 10,000/- (Ten thousand) with two sureties of the like amount
each to the satisfaction of learned C.J.M., Katihar subject to the
conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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