

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80669 of 2019

Arising Out of PS. Case No.-218 Year-2019 Thana- MANJHAGARH District- Gopalganj

SAHNAWZ ALI @ SHAH NAWAZ ALI, aged about 27 years (Male), Son of
Shahjad Ali, Resident of Village- Duldulia Tola, P.S.- Manjharagh, District-
Gopalganj.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Yogendra Prasad Sinha, Advocate.
For the Opposite Party : Mr.Pronoti Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 19-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Section 304(B)/34 of the IPC.

The prosecution story, in brief, is that the marriage of
daughter of the informant, namely, Sumbul Khatoon was
solemnized with the petitioner two years ago. She was assaulted
by the petitioner and his family members for last one year. On
14.08.2019 in day light, *Mar-pit* was also committed with her.
On 15.08.2019 at 2.30 A.M. (night), information was given to
the informant on her phone that her daughter died. She went and
came to know that her daughter has been killed by hanging. It is
alleged that the petitioner has killed the daughter of the
informant.

It has been submitted by learned counsel for the



petitioner that the petitioner is languishing in custody since 21.08.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no eye witness to the alleged occurrence. There is no substantive evidence to suggest the implication of the petitioner in the present case. In paragraph no. 10 of the case diary the deceased is said to have committed suicide. At best, it is a case for an offence under Section 306 of the IPC and not under Section 304(B) of the IPC.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj, in connection with Manjhagarh P.S. Case No. 218 of 2019.

(Sudhir Singh, J)

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