

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39334 of 2021

Arising Out of PS. Case No.-229 Year-2019 Thana- HASANPUR District- Samastipur

MD. EAJUL HAQUE @ MD. EAJUL S/o Md. Khurshid R/o village-
Bahattar, P.S.- Hasanpur, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-11-2021 Heard learned counsel for the petitioner and the State.

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

As per the prosecution case, the informant received
information from this petitioner that his daughter died of burn
injuries on 27.10.2019. On such information, informant went to
Amrit Jeevan Hospital thereafter all the accused persons ran
away. It is alleged that ever since marriage the accused persons
had been making demand of motor cycle but informant was
unable to give and for this reason his daughter was burnt to
death.



Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that the deceased died of accidental fire and in support of the same Annexure-2 to this petition has been annexed and referring to Annexure-2 it is submitted that the deceased while being treated at the hospital made statement to the effect that she went to cook food on 21.10.2019 and while burning gas stove, got burn injuries as a result of an accident and had been brought to the hospital for treatment. The deceased died after about one week of the occurrence during the course of treatment on 27.10.2019 and proper information was given to informant by the petitioner which is reflected in the FIR itself. Petitioner is in custody since 12.04.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case, the period of custody of the petitioner and statement of deceased recorded during her treatment (Annexure-2), let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-



III, Rosera, Samastipur in connection with Hasanpur PS case
No.229/2019 .

(Prabhat Kumar Singh, J)

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