

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32298 of 2021

Arising Out of PS. Case No.-219 Year-2020 Thana- MAHNAR District- Vaishali

Md Sabir S/o Md. Muslim R/o village- Ward No. 03, Kharjamma, P.S.-
Mahnar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in connection with Mahnar
P.S. Case No. 219 of 2020 instituted for the offences under
Sections 302, 364, 401 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 21.02.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that from
perusal of the allegation as alleged in the F.I.R. it would
manifest that this petitioner was the informant and he had
alleged that while his mother was sitting at the door, four
accused on two motorcycles came and his mother, out of four
accused, identified Aman Kumar @ Shalu Singh, who asked



about the sister of the informant namely Soni Praveen (deceased) and thereafter the said Aman Kumar with help of three unknown accused abducted the sister of the informant and all four persons fled away.

During the course of investigation it transpired that it was a case of honour killing, as the informant was averse to the relationship between his sister and Aman, further during the course of investigation it has also come that the deceased was often assaulted by the informant and her family members for carrying her relationship with Aman, as it has come in the audio recording of the deceased, further at times oil was also poured on her. It has also come during the course of investigation that she was assaulted and had marks of injury on account of assault on her body which she disclosed to Aman in her WhatsApp chat with him.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that this petitioner appears to be a very brutal person as he used to assault his own sister who was in love with Aman. Learned A.P.P. further submits that this petitioner made efforts to falsely implicate an innocent person in the case with the help of his family members.



Learned counsel for the petitioner submits based on Annexure – 2 to the bail application that the mother of the petitioner has not supported the investigation carried by the police and has represented before the Superintendent of Police, Vaishali, Hajipur with regard to the same. On this learned A.P.P. submits that it was with the aid of the mother only that this petitioner tried to implicate Aman by alleging that out of four persons, the mother identified only Aman.

Considering the fact that the brutality with which a life has been taken away only because the deceased was in love with someone, the Court does not feel persuaded to grant bail to the petitioner. His prayer for bail is thus rejected.

(Satyavrat Verma, J)

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