

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27715 of 2022

Arising Out of PS. Case No.-46 Year-2021 Thana- PALANWA District- East Champaran

SUBHAN MIAN Son of Olayat Mian R/o vill.- Binwa Tola Jaitpur, P.S.-
Palanwa, Dist.- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and
learned APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 304(B)/34 of
the Indian Penal Code, in connection with Palanwa P.S. Case
No. 46 of 2021.

As per the allegation in the FIR, on 28.3.2021, the
informant got knowledge that his daughter who married to
Saidullah Mian has been killed by in-laws.

Accordingly, the present FIR came to be lodged.

Learned counsel for the petitioner submits that the
petitioner is father-in-law, has no role to play in the daily affairs
of the couple. He further submits that the husband Saidullah



Mian has since been released on bail by a coordinate bench of this Court vide Cr. Misc. No. 52492 of 2021 on 31.3.2022 (Annexure-2 to the bail application).

Considering the fact that the petitioner is father-in-law, is in custody since 8.1.2022 (as stated in para-11 of the bail application), has no criminal antecedent and husband has since been released on bail, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran, in connection with Palanwa P.S. Case No. 46 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;



(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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