

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28869 of 2022**

Arising Out of PS. Case No.-169 Year-2021 Thana- DARBHANGA District- Darbhanga

RINKU IMAM @ SARMAD IMAM SON OF MUSTUWA IMAM @
MUZTAWA IMAM R/O- BAJITPUR P.S.- TOWN, DIST.-DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 01-09-2022 The learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Petitioner seeks regular bail in Town P.S Case No. 169 of
2021 registered for the offence punishable under Section 304B of the
Indian Penal Code.

As per allegation informant's sister was killed by this
petitioner and his family members on account of their demand of Rs
5 lakh and a mobile phone having been not fulfilled by the victim
and the accused persons including petitioner tortured the victim.

The main submissions advanced by Sri Sanjay Kumar, the
learned counsel appearing for the petitioner are that petitioner is
brother of husband of the deceased, the marriage of the deceased
took place in the year 2017. In the FIR there is no specific role of the
petitioner and his overt-act has not been mentioned. The father-in-
law of the deceased has been granted bail by the learned court below
and the allegation made against the petitioner is similar nature like



the said co-accused who has been granted bail

Sri Uday Chand Prasad , learned APP appearing for the State and learned counsel for the informant have opposed the prayer for bail and submitted that the husband of the deceased is still absconding.

Heard both the sides and perused the FIR. Petitioner is stated to be Dewar (brother of husband of the deceased) and in the FIR against him no specific allegation in committing alleged occurrence has been alleged and the marriage of the deceased took place in the year 2017. The father-in -law of deceased carrying similar nature of allegation has been granted bail by the learned court below. Considering these facts as well as above submissions, in the opinion of this Court the petitioner also deserves the same privilege.

Let the petitioner 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 the Chief Judicial Magistrate, Darbhanga in Town P.S Case No. 169 of 2021.

(Shailendra Singh, J)

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