

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35628 of 2022

Arising Out of PS. Case No.-300 Year-2020 Thana- OBRA District- Aurangabad

MD NEHAL ALAM @ NEHAL AHMAD S/o Late Pota Miyan R/o Village-
Manora, P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-09-2022 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 Obra P.S Case No. 300
of 2020 registered for the offences punishable under Sections
302, 328/34 of the Indian Penal Code.

As per allegation, the informant got information that
Jarina Khatoon (deceased) had consumed poison at her sasural
and as such the informant reached there and found her in
unconscious stage, she was taken to hospital and during course
of treatment she died.

The main submissions advanced by learned counsel Shri
Ashok Kumar Singh appearing for the petitioner are that
petitioner and deceased are heirs of common ancestor, there was



no property dispute between them and on the body of the deceased two cut injuries were found as per order of the learned court below but the same was not sufficient to cause death of the deceased and the informant simply raised suspicion against the petitioner to have administered poison to the deceased but the said fact has not been supported by any of the witness during course of investigation and marriage of the deceased took place in the year 1995 and her husband started residing with another lady and solemnized marriage with her, owing to that reason deceased went in frustration. Further submission is that in post mortem examination, doctor concerned could not ascertain the cause of death of the deceased and petitioner has clean antecedent and has been languishing in jail since 6.2.2022.

Sri SatyendraNarayan Singh, learned APP appearing for the State has opposed the prayer for bail.

In view of above submissions and mainly, considering petitioner's clean antecedent and also the fact that as per FIR there is no eye-witness of the alleged occurrence and the informant raised suspicion mainly on account of a tensed relationship between the deceased and this petitioner, in the opinion of this court, a lenient approach can be taken in respect of the petitioner.



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 Sub divisional
Judicial Magistrate, Daudnagar District Aurangabad in Obra P.S
Case No. 300 of 2020.

(Shailendra Singh, J)

s.hassan/-

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