

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21695 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- CHANDRAMANDI District- Jamui

Md. Tasmuddin Ansari @ Tasmuddin Ansari S/O Late Samsuddin Mian
Resident Of Village- Bandha, P.S.- Chaudamandi, District- Jamui, Bihar.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Binay Kumar, Advocate
For the Opposite Party : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chandramandi P.S. Case No. 148 of 2022 dated 03.09.2022, instituted for the offences punishable under Sections 302, 201 and 120(B) of the Indian Penal Code.

3. The prosecution case in short is that marriage was solemnized between son (deceased) of the informant and daughter of the petitioner. On 30.08.2022, the informant's son arrived to Bandha Village with petitioner on his request and on 31.08.2022, the informant received information about the death of her son and on arrival, his dead was found with ligature marks on the neck and the petitioner with other co-accused cremated the body in spite of her protest.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he is falsely implicated in this case. It is submitted that the petitioner has been made accused only on the basis of suspicion and no specific allegation has been made in the F.I.R. against the petitioner. It is submitted that there is no eye-witness of the occurrence and even the informant is also not the eye-witness of the occurrence. It is further submitted that the petitioner is younger brother of the informant and after divorce of the informant the petitioner adopted her only son (deceased) on his lap and provided him all the necessary need like food, cloth and education. Further, it is submitted that when the deceased became young, the petitioner constructed a house for him and he also solemnized the marriage of deceased with his only daughter, namely, Banu Khatoon. Further, it is submitted that the petitioner treated the deceased as his son as well as his son-in-law. Lastly, it has been submitted that the petitioner is in custody since 19.09.2022 has no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let



the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. in Chandramandhi P.S. Case No. 148 of 2022.

(Khatim Reza, J)

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