

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20730 of 2023

Arising Out of PS. Case No.-63 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Mohiuddin Ansari @ Muhidin Ansari S/O Jalaluddin Ansari Resident of
Village- Bhatauli P.S.- Dehri (M), District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ale Nabi S/O Late Anwar Hasan Resident of Village- Marojhiyan, P.S.-
Nasriganj, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv. Mr. Bhaskar Shankar, Adv.
For the State	:	Mr. Ajay Kumar Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-05-2023 1. Heard learned senior counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Dehri (Indrapuri) P.S. Case No. 241 of 2016 (Complaint Case
No. 63/2018) dated 09.05.2016 registered for the offence
punishable under Section 302/34 of the Indian Penal Code.

3. The main submissions advanced by learned senior
counsel for the petitioner are that in the present matter, firstly
the FIR bearing Dehri (Indrapuri) P.S. Case No. 241/2016 was
lodged by the complainant under Section 302/34 of I.P.C. in
which the police after completion of the investigation filed final
form against the accused persons including the petitioner with a



conclusion that a case under Section 309 of I.P.C. is made out against the accused persons and thereafter the Court below accepted the said final form and then the complainant filed the protest petition which was dismissed and thereafter in the light of the order of Cr. Revision No. 278/2018, the said complaint case was remanded back and then the Court below took cognizance of the alleged offence of 302/34 of I.P.C. against this petitioner and other co-accused persons. Further submissions are that the petitioner is brother of the wife of the deceased and on the body of the deceased, no external injury was found and the Doctor concerned, who conducted *post-mortem* examination of the deceased, did not give any finding with regard to the cause of death and consequently *viscera* was sent for Forensic examination, in actual the victim committed suicide and the petitioner has fair and clean antecedent and has been languishing in jail since 15.01.2023 and against him, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's custody period and his fair and clean antecedent as mentioned in the petition and also the fact that as per the above submission on the body of the deceased no external injury



was found, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged 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 Court concerned in connection with Dehri (Indrapuri) P.S. Case No. 241 of 2016 (Complaint Case No. 63/2018).

(Shailendra Singh, J)

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