

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38331 of 2023

Arising Out of PS. Case No.-410 Year-2021 Thana- RAMNAGAR District- West Champaran

SOHBUL IMAM @ SAHBUL OMAN @ SAHBUL IMAM S/O LATE
REYASAT IMAM @ REYASAT SAI R/O Village- Mahuai Nawaka Tola, PS.
Ramnagar, Dist. West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prerna Anand, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Ramnagar P.S. Case No.410 of 2021 instituted under Section 304(B),34 of the IPC lodged on 28.11.2021 by the informant Md. Farman Miya.

As per the FIR, the sister of the informant was married to the petitioner on 8th June, 2020 but the husband of victim was not satisfied with the articles given a gift and started demanding the Freeze and Washing machine. As he was not agreed for the 'Bidai' of the victim, she was living in her 'Naihar' for last one and half year. The husband had gone to Kerala from there also, he used abuse and torture the victim and other in-laws were also assisting the husband. On 28.11.2021,



the informant received an information about killing of his sister. They went there and founded victim dead and no body was there in the house. Thus he suspected that she has been killed by in the accused person by pressing her neck. Accordingly, the FIR.

The contention of the learned counsel for the petitioner is that he is father-in-law, an aged person nothing to do with the death of his daughter-in-law and only being part of the family member has been implicated.

Learned APP opposes the prayer for bail.

Considering the fact that he is the father-in-law, do not have criminal antecedent and is custody since 09.12.2022 (as stated in para-12 of the petition), this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Ramnagar P.S. Case No.410 of 2021 to the satisfaction of learned Additional Sessions Judge, Bagaha, West Champaran, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



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 reason will entail cancellation of his bail bond by the Trial court itself;

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

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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