

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45052 of 2022

Arising Out of PS. Case No.-290 Year-2016 Thana- JOKIHAT District- Araria

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ZAHID @ MD. ZAHID Son of Late Ishaque @ Ishak Resident of Village -
Satbitta, P.S.- Jokihat, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 304(B)/34 of the
Indian Penal Code.

As per allegation in the FIR, petitioner along with his
family members has tortured in various ways to the informant's
sister due to non-fulfillment of milking buffalo and motorcycle
and ultimately he in connivance with his family members killed
her.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is husband. Out of the wedlock of
the petitioner and deceased, two children were blessed.
Petitioner was at Delhi to earn his livelihood at the time of



alleged occurrence. In fact, a quarrel took place between the deceased and family members of the petitioner and when family members went out to work in field, deceased committed suicide by hanging herself. It is further submitted that several witnesses in para 54, 55 and 56 have stated about altercation with the deceased and petitioner's brother Aabid. Petitioner is languishing in judicial custody since 16.04.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that as per post mortem report, deceased died due to asphyxia and multiple ligature marks around the neck were present.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM 1st Araria in connection with Jokihat P.S. Case No. 290 of 2016.

(Sunil Kumar Panwar, J)

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