

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64188 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- SANHAULA District- Bhagalpur

MD. IRSHAD SON OF MD. KHURSHID R/O VILLAGE- MURGIACHAK,
P.S.- SANHAULA, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 18-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection
with Sanhaura P.S. Case No.13 of 2022 dated 06.02.2022
registered for the offences punishable under Sections 328,
304(B) and 34 of the Indian Penal Code.

3. The main submissions advanced by the
learned counsel for the petitioner are that the allegations
levelled in the FIR are completely false, in fact on account of
some trivial family issues the victim herself consumed poison
and thereafter the petitioner and his family members took the
victim to hospital for medical treatment and petitioner was
arrested from the hospital and during investigation independent
persons were examined who supported the petitioner's defence



as to the victim being upset due to some family disputes and particularly with regard to she being issueless and the petitioner has been languishing in jail since 07.02.2022 and the postmortem report confirmed the victim having taken poisonous material.

4. Learned APP appearing for the State has opposed the bail prayer.

5. In view of the facts, as stated above, and mainly considering the petitioner's custody period, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released **on bail after framing of charge, if the same has not been framed**, on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sanhaura P.S. Case No.13 of 2022 .

(Shailendra Singh, J)

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