

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25927 of 2024

Arising Out of PS. Case No.-66 Year-2023 Thana- BANGAWON District- Saharsa

Md. Irfan S/o- Md. Allauddin R/o Vill- Navtoli (Naulakha), Nav toliya Ward
No- 01 P.S- Bangaon, Dist- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bangaon P.S. Case No. 66 of 2023 instituted for the offence
under Sections 306, 328, 498A & 34 of the Indian Penal Code.

3. The prosecution story, in short, is that the marriage
of the sister of the Informant (deceased) was solemnized 11
years ago with Md. Irfan. It is alleged that the accused persons
including the petitioner were harassing the sister of the
Informant. On 01.06.2023, a *Panchayati* was also held but, the
accused persons kept on harassing the girl and lastly, on
07.06.2023, the sister of the Informant committed suicide by
taking poison.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09-06-2023. Petitioner is stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is the husband of the deceased. There is specific allegation against the petitioner. It is submitted that deceased had committed suicide after administering poison. Police after investigation has submitted charge sheet under Sections 306, 498A & 34 of the IPC. Other co-accused has been granted bail by this Court, *vide* order dated 07-12-2023, passed in Cr. Misc. No. 78701 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, no direct allegation against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with /Bangaon



P.S. Case No. 66 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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