

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62814 of 2023

Arising Out of PS. Case No.-340 Year-2021 Thana- PURNEA SADAR District- Purnia

MD. TAUSIF SON OF AHMAD ALI ANSARI @ MD. MOSIM RESIDENT
OF VILLAGE- NAKA CHOWK PURNIA CITY, PS- SADAR, DISTT-
PURNIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 29-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Purnea Sadar P.S.Case no.340 of 2021 registered under sections 302, 306 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his brother who was living in his '*sasural*' was physically tortured and done to death. As a result of the pressure of the members of the family he used to communicate to the informant that he would commit suicide. Ultimately the informant states that she received information about the death of his brother.

4. It is submitted by learned counsel for the petitioner that the petitioner happens to be the son of the



deceased. He has been falsely implicated in the case. No case under section 306 or 302 is made out against the petitioner. He is in custody since 15.2.2023 and has no criminal antecedent.

5. Heard learned A.P.P. for the State who submits that as per postmortem report, the cause of death is said to be asphyxia due to throttling.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation together with the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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