

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78088 of 2024**

Arising Out of PS. Case No.-72 Year-2024 Thana- ABADPUR District- Katihar

Julfikar @ Julfaquar @ Md. zulfukar Son of Md. Arif R/O Vil.- Bariol, P.S.-  
Abadpur, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      12-11-2024                      Heard the parties.

2. The petitioner is in judicial custody in connection with Abadpur P.S. Case No. 72 of 2024 for the offence punishable under Section 306/34 of the Indian Penal Code lodged on 28.06.2024 by the informant, Maruf Khatoon.

3. As per the prosecution story, the informant alleged that her daughter was having affair with this petitioner for the last two years but at the time of marriage negotiation, they demanded dowry which led to the girl committing suicide. This followed the FIR.

4. Learned counsel for the petitioner submits that it is an admitted fact that they were having affairs and wanted to marry, the parents had gone to the place to converse regarding the marriage but there some untoward happened. The girl



wanted communication to this petitioner, unfortunately, he could not respond to it which led to her committing suicide. He submits that he is already shattered as was in relationship and the allegation has also come against him, has already suffered by being in custody since 05.07.2024 (para-13 of the petition) and undertakes/ensure that in case relief is extended, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that a perusal of learned Sessions Judge order would show that the girl wanted to communicate with this petitioner, he failed to pick up the call which led to the unfortunate incident.

6. Having gone through the facts of the case/submissions of the parties, though the death of the 19 years old girl is unfortunate/painful inasmuch as a young lady lost her life without seeing the world properly, the allegation has come against the petitioner, FIR is there, charge-sheet submitted, an undertaking has been given that he shall be diligently appearing in trial, is only 22 years of age having no criminal antecedent, is in custody since 05.07.2024, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of



like amount each to the satisfaction of learned A.C.J.M.-VI, Katihar, in connection with Abadpur P.S. Case No. 72 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 his bail bonds.

**(Rajiv Roy, J)**

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