

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85996 of 2023

Arising Out of PS. Case No.-559 Year-2020 Thana- BIHAR District- Nalanda

Md. Sartaj @ Md. Sartaj Khan, S/O Late Seraj Khan, Mohalla- Garhpur, Ps.
Bihar Town, Dist. Nalanda At Biharsharif.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Singh, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Bihar P.S. Case No. 559 of 2020, registered for the offences under Sections 306/34 of the Indian Penal Code.

3. As per prosecution case, daughter of the informant committed suicide when the petitioner and his family members refused to marry the petitioner with the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. From the FIR, it is apparent that only



allegation against the petitioner is that he refused to marry the daughter of the informant. Petitioner has no love affair with the daughter of the informant and false and concocted story has been made up. There is no material to show such love affair between the petitioner and the daughter of the informant. There is no specific allegation against the petitioner except that he refused to marry with the daughter of the informant and for this reason the daughter of the informant went into depression and committed suicide. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely general and vague nature of allegation against the petitioner without any substantive material and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Bihar Sharif/court



concerned in connection with Bihar P.S. Case No. 559 of 2020,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure and other following
conditions:

- (i) One of the bailors will be a close relative of the
petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

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