

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.255 of 2025

Arising Out of PS. Case No.-629 Year-2024 Thana- FORBESGANJ District- Araria

Khushbur Rahman @ Khushbur Alam @ Khsbur Son of Abdul Haque
Resident of Village- B.M. Tola, Bhalve, Amhara, P.S.- Forbesganj, Distt.-
Araria

... .. Petitioner/s

Versus

The STATE of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 09-06-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Forbesganj P.S Case no.629 of 2024, registered under sections 80(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that he had married his daughter to the petitioner herein. The accused persons including the petitioner tortured and assaulted his daughter. A demand of Rs.1 lac was made. It is stated that his daughter started to reside with him. On the date of occurrence, it is alleged that on the informant asking his daughter as to who had come, she disclosed that it was the petitioner. Subsequently, the dead body of his daughter was discovered near the tubewell. The informant states that it was



the petitioner who had called his daughter near the tubewell and killed her.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the son-in-law of the informant. From the contents of the FIR itself it would transpire that the informant is not an eyewitness to the occurrence. Admittedly, the death of the daughter of the informant has taken place in her *naihar* ie at her parents place. The cause of death is said to be asphyxia as a result of hanging. No antemortem injury was found on the body of the deceased. The petitioner is in custody since 12.10.2024 and has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 29.4.2025 of the District and Additional Sessions Judge-IV, Araria, charge has been framed against the accused and summons have been issued for appearance of the witnesses.

7. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, the material that has transpired in course of



investigation and especially the contents of the postmortem report, the petitioner having remained in custody for about 8 months since 12.10.2024, his not having any criminal antecedent and charge having been framed in the learned trial Court, the petitioner is directed to be enlarged on bail in connection with Forbesganj P.S Case no.629 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria on the following conditions :-

(I) The petitioner shall remain physically present on each date in the learned trial Court and shall cooperate in the trial.

(II) In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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