

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15834 of 2016

Arising Out of PS.Case No. -444 Year- 2015 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Jahangir Alam @ Jahangir Siddiqui Son of Akber Mian Resident of
Village - Ghiwadhar, P.S. - Harsidhi, District - East Champaran

.... Petitioner/s

Versus

1. the State of Bihar
2. Khalekhil Ansari Son of Rahim Ansari Resident of Village - Bahuarwa,
P.S. - Shanichri, District - West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abul Kalam

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 29-07-2016

The Dy. S.P, Motihari is present with
complete case diary.

It is submitted by learned A.P.P that office of
the Superintendent of Police, Motihari will be careful in future
to see that the complete legible case diary is being transmitted
before this Court.

In the circumstance, the appearance of the
Dy. S.P is hereby dispensed with.

The petitioner being husband of the niece of
the informant is apprehending his arrest in a case registered
for the offences punishable under Sections 498A, 304B of the
Indian Penal Code.

The prosecution case is of killing the niece of
the informant within three years of marriage for non-fulfilment
of auto-rickshaw, fridge and T.V.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the niece of the informant. The petitioner was working as a driver in Jamnagar, Gujrat and the victim committed suicide. The informant and the parents of the victim have subsequently retracted from the initial version and filed a petition to that effect before learned Court below.

Learned A.P.P after going through the case diary submits that though informant and family members of the victim have retracted from the initial version but the niece of the informant died within three years of marriage. Unnatural death coupled with the demand of dowry are not in dispute.

In view of the retracted version of the informant, let learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Harsidhi P.S. Case No. 444 of 2015, pending in the Court of learned Chief Judicial Magistrate, Motihari, East Champaran.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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