

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53995 of 2016**

Arising Out of PS.Case No. -259 Year- 2015 Thana -FALKA District- KATIHAR

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1. Tabrez Alam @ Md. Tabrez Alam Son of Md. Mojib Resident of  
Village- Salehpur, Police Station- Phalka, District- Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Najmul Hoda

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

3      19-01-2017                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Petitioner is in custody in connection with Falka P.S.  
Case No. of 2016 registered under Sections 498-A, 307, 306/34 of the  
Indian Penal Code.

Accusation is of torture and killed the informant by  
pouring Kerosene oil on account of non fulfillment of dowry demand.

Learned counsel for the petitioner has submitted that the  
petitioner is innocent and has not committed any offence and he has  
falsely been implicated in this case. Further on the date of occurrence,  
the petitioner was outside the home for casting voter in Assembly  
Election. In fact, complainant was a patient of mental disorder and she  
herself committed to attempt suicide. The complainant was taken to the  
K.M.C.H. to save her life by the family members of petitioner but she



could not be saved.

Learned A.P.P. for the State vehemently opposed the prayer for bail and submitted that deceased herself recorded her statement before death in which she specifically stated that petitioner-husband was in illicit relation with another lady, therefore, the complainant was set on fire after pouring kerosene oil to kill her.

Considering the facts and circumstances and the nature of accusation, this Court is not inclined to grant bail to this petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

**(Arvind Srivastava, J)**

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