

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50014 of 2016

Arising Out of PS.Case No. -146 Year- 2014 Thana -BASANTPUR District- SIWAN

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Faiyaz Quraishi son of Late Murtuza Quraishi, Resident of Village-Sheikhpura, Police Station - Basantpur, District - Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party : Mr. Sri Madhuranand Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 10-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection with Basantpur P.S. Case No. 146 of 2014, registered for the offences punishable under Sections 328, 304(B)/34 of the Indian Penal Code and Section 3/4 of D.P. Act.

Shakila Khatoon the daughter of the informant was married to the petitioner three and half years ago and due to non-fulfillment of demand of dowry by way of motorcycle she was being tortured and assaulted and ultimately the petitioner and other in-laws after administering poison killed her.

Submission is of false implication and that the petitioner is the husband of the deceased, in this case other co-



accused have been allowed pre-arrest bail vide Cr. Misc. No. 38210 of 2014, there was cordial relation between the petitioner and his wife, the petitioner never demand anything, the wife of the petitioner was ill and she died due to illness, it appears that wrong medicines was provided to her, resulting, she was not saved and died and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that in F.S.L. report aluminum phosphide was detected which is highly poisonous and, as such, prosecution version is being corroborated.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Basantpur P.S. Case No. 146 of 2014, pending in the Court of Sri S. Agnihotri, learned Judicial Magistrate, Siwan.

(Jitendra Mohan Sharma, J.)

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