

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51151 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -DHAMDAHA District- PURNIA

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1. Md. Shamim @ Md. Shamim Akhtar, son of Md. Taslim @ Taso,
resident of village- Mogaliya Purandaha West, P.S.- Dhamdaha,
District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Pd. Sinha, Sr. Advocate with
Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 10-01-2017

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks bail in Dhamdaha P.S. Case
No.69 of 2016 instituted for the offence under Section(s) 304-B/34
Indian Penal Code.

As per the prosecution case, the daughter of the
informant, namely, Sanjeeda Khatoon was married with this
petitioner about two years back. The petitioner used to commit
torture with her for demand of motorcycle and due to non-
fulfillment of the demand the petitioner with his parents
committed murder of the daughter of the informant.

Case diary has been received. The informant in his



restatement, which has been recorded in paragraph 8 and the other witnesses in paragraph 9, 10, 11, and 12 have supported the case and the allegation levelled against this petitioner. The police has mentioned about the Inquest Report in paragraph 2, wherein, it is mentioned that on inspection of the dead body the Investigating Officer found black mark on the left cheek and bleeding from mouth. The doctor has stated in the Post Mortem Examination Report as mentioned in paragraph 23 of the case diary that the cause of death could not be ascertained and viscera was preserved for further investigation.

The petitioner is the husband of the deceased, who died within two years of her marriage in Sasural, and there is specific allegation of demand of dowry and torture, which is supported from the statement of the witnesses as mentioned in the case diary as well as Inquest Report.

Therefore, this Court does not find it a fit case for grant of bail to the petitioner.

Prayer for bail is rejected.

(Sanjay Priya, J)

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