

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58532 of 2018

Arising Out of PS. Case No.-65 Year-2018 Thana- AMAUR District- Purnia

Md. Zahid @ Jahid Alam S/o Md. Sajid, R/o Vill.- Singhia, P.S.- Amour,
District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date : 11-12-2018

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection
with Amour P.S. Case No. 65 of 2018 dated 28.04.2018
instituted under Sections 304B/34 of the Indian Penal Code and
3/4 of the Dowry Prohibition Act.

3. The petitioner along with seven others is accused
of causing the death of the daughter of the informant, being the
husband of the deceased.

4. In terms of order dated 30.11.2018, the petitioner
is present in Court.

5. Learned counsel for the petitioner submitted that
he, along with his family members, had tried to douse the fire



and they had brought her to Patna, which is admitted by the informant in the *fardbeyan* itself. Learned counsel submitted that if they were party to the crime they would not have acted in the manner they did. It was further submitted that the father of the petitioner was also badly burnt and has been granted anticipatory bail.

6. Learned A.P.P. submitted that it being the admitted case that the deceased died due to burn and the explanation coming that she poured kerosene and burnt herself is at least proof of the fact that the atmosphere in the matrimonial home was not conducive which forced the deceased taking the extreme step of taking her own life. It was submitted that the petitioner, being the husband, is responsible for ensuring that his wife remains full protected and without any pressure either mental or physical. It was, thus, submitted that even if the deceased took her own life, the same being in the matrimonial home, the complicity of the petitioner, who is the husband, in creating a condition where she was forced to take the step is well proved.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory



bail.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	
U	
T	

