

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54593 of 2018

Arising Out of PS. Case No.-63 Year-2018 Thana- PIPRA District- Supaul

Md. Kabir Alam @ Md. Kabir S/o Ahmad Mian @ Ahmad Ali, R/o Vill.-
Pathra South, P.S.- Pipra, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 08-10-2018 Heard learned counsel for the petitioner, learned APP
for the State and the informant.

The petitioner seeks bail in Pipra P. S. Case No. 63
of 2018 instituted for the offence under Section(s) 302,
120B/34 of the Indian Penal Code.

Petitioner is the husband of deceased.

It is alleged in the written report that daughter of the
informant was married with this petitioner 12 years back. They
had two daughters out of said wedlock. It is further alleged that
this petitioner has performed second marriage on account of
which he used to torture and assault and give threat to kill his
daughter when she raised objection. She was finally killed and
her dead body was disposed of by this petitioner in conspiracy
with other family members as mentioned in the written report.



Learned counsel for the petitioner has submitted that there is general and omnibus allegation against this petitioner. Father-in-law, namely Ahmad Miya @ Ahmad Ali was granted bail by coordinate Bench of this Court vide order dated 1.8.2018 passed in Cr. Misc. no. 46590 of 2018.

Learned counsel for the informant has submitted that there is specific allegation against this petitioner that he after performing second marriage always committed torture with daughter of informant when she raised objection. The victim has only two daughters. Because of giving birth to two daughters she was always tortured by the petitioner. The victim had died unnatural death in her sasural. The informant has produced the photo copy of postmortem report at the time of hearing of the bail petition which shows that death has occurred due to strangulation.

In such circumstances, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.

Trial Court is directed to expedite the trial.

(Sanjay Priya, J)

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