

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13815 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- PATEPUR District- Vaishali

Md. Samir @ Md. Samid, Son of Md. Huseni Miyan, Resident of Village-
Khesrahi Murgiyanchak, P.S-Patepur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjum Perveen

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-03-2019 Heard learned counsels for the petitioner and the
State.

The petitioner, being the father of the husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the IPC.

The prosecution case, as per the written report of Jainul Khatoon, dated 10.10.2018, submitted to the Station House Officer, Patepur Police Station, is to the effect that the daughter of the informant, namely, Sabana Khatoon was married with the son of the petitioner, namely, Md. Asik, three years prior to the lodging of the FIR. For some times, the daughter of the informant was kept in the matrimonial house with dignity and honour, but subsequently, further dowry demand of Rs. 1 lac was made and due to non-fulfillment of the same, torture was



inflicted on the daughter of the informant by the petitioner and other in-law family members. It is further alleged that on 10.08.2018 at 2.30 P.M., the informant received a telephonic information that after making assault, her daughter has been hanged to death.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the daughter of the informant. The petitioner resides with his unmarried daughter at Varanasi and on the alleged date of occurrence, the petitioner was at Varanasi. It is further submitted that accusation of assault is not being corroborated by the postmortem report of victim.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the thrust of accusation against the husband of the victim and the accusation of brutally assaulting the victim not being corroborated by the postmortem report, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like



amount each to the satisfaction of learned CJM, Hajipur in connection with Patepur P.S. Case No. 175 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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