

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1064 of 2019

Arising Out of PS. Case No.-218 Year-2018 Thana- BAHADURGANJ District- Kishanganj

Akhter @ Akhter Alam son of Late Salimudin Resident of Village-Tower
Chowk, Khothi Tola, Bhatabari P.S.-Bahadurganj, Dist.-Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K. Agarwal, Sr. Advocate

For the Opposite Party/s : Mr. Nawal Kishore Pd, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-03-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Bahadurganj P. S. Case
No. 218 of 2018 instituted for the offence under Section(s)
304B/34 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

Learned counsel for petitioner submits that petitioner
is in custody since 19.7.2018 having no criminal antecedent.

The brother of the deceased had earlier filed
application before Shyam Nagar Police Station Jaipur, stating
that his sister has committed suicide by hanging on the basis of
which U.D. case no. 18 of 2018 was registered by Officer-in-
Charge Shyam Nagar Police Station, Jaipur. The application
filed by the brother of the deceased before the Officer-in-



Charge, Shyam Nagar Police Station, Jaipur as well as the U.D. case registered by the aforesaid Police Station have been annexed as Annexure(s) 3 and 4 to the bail petition.

In the written report, it is alleged that daughter of the informant was married with petitioner on 25.3.2016. After marriage, she was tortured for demand of dowry in her Sasural for which Panchayati was also held. Thereafter, petitioner took the daughter of the informant to Rajasthan after assuring that he will keep her with full dignity. It is further alleged that on 16.7.2018 informant got information that his daughter has been killed and her dead body has been hanged in the tree. The son of the informant, namely, Ansar Alam went to bring the dead body of his sister from Rajasthan and on the highway the petitioner got him down from the car at 11 PM in the night. The informant has raised suspicion against petitioner and other accused persons of committing murder of his daughter

Annexure-3 is the application, filed by the son of the informant who is said to have gone to collect the dead body of his sister, before the SHO, Shyam Nagar P.S. Jaipur, wherein, he has stated that his sister died due to hanging. The postmortem report has been annexed as Annexure -5 to the bail petition, wherein, the doctor has opined the cause of death as a result of



Asphyxia due to ante-mortem hanging.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, Kishanganj, in connection with Bahadurganj P. S. Case No. 218 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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