

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 13388 of 2020

Arising Out of PS. Case No.-90 Year-2019 Thana- SHYAMPUR BHATHA District- Sheohar

ANWAR ANSARI, S/o Aslam Ansari, Resident of Village- Shyampur Ward
No.6, P.S.- Shyampur Bhatahan, Distt- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-06-2020 This case has been heard through Video Conferencing.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 304 (B) and 120(B) of the
Indian Penal Code.

The prosecution case in short is that one Jarina Khatoon,
who happened to be informant of this case has given a written
application to the concerned Police Station alleging therein that
her daughter namely Shakiya Bano was married with Anwar
Ansari two years ago with Muslim reties, after marriage a son
was born from their bed lock.

It is further alleged that her son-in-law namely Anwar
Ansari, father-in-law Aslam Ansari, mother-in-law Hasina



Ansari and Jethani Mehraul Nisha always tortured for demand of dowry as Motorcycle. On 17.08.2019 at about 2.30 O'clock all the accused persons assaulted and given poison to her daughter.

Learned counsel for the petitioner submits that the petitioner is innocent has not committed any offence, rather he has been falsely implicated in this case due to petitioner is unfortunate husband. He submits that from perusal of the FIR, it appears that this is completely false and fabricated case lodged by the informant because daughter of the informant has herself taken poison because she was short tempered lady she does not want to live or adjust with the petitioner. He submits that from perusal of the FIR as per allegation of demand of Motorcycle as dowry is completely false, no FIR was lodged earlier for torture of her daughter and also in Muslim rites no dowry has been given. He submits that from perusal of the case diary, no independent witnesses have supported the case of the prosecution. Chargesheet has been submitted on 10.11.2019.

Learned APP for the State opposes the prayer for bail and submits that the petitioner is the husband of the deceased and his duty is to save his life but the petitioner has failed to do so.

Considering the aforesaid facts and circumstances of the



case, the petitioner is husband of the deceased, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Shyampur Bhataha P.S. Case No. 90 of 2019 from the Court of learned Additional Chief Judicial Magistrate, Sheohar.

The application is dismissed accordingly.

However, the court below is directed to expedite the trial.

(Anjani Kumar Sharan, J)

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