

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14488 of 2020**

Arising Out of PS. Case No.-271 Year-2017 Thana- DESARI District- Vaishali

MD. ELTAF @ MD. ELTAF RAZA Son of Md. Mumtaj Resident of Village -  
Nayaganj, P.S.- Desari, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      09-09-2020      Heard the learned counsel for the petitioner  
and Md. Syed Ehteshamuddin, the learned APP for  
the State.

This is an application for grant of anticipatory  
bail in connection with Desari P.S. Case No. 271 of  
2017 registered for the offence punishable under  
Sections 304(B) and 201/34 of the Indian Penal  
Code.

The case of the prosecution in brief is that the  
informant is stated to have married his daughter  
on 29.06.2016 with one Md. Irfan as per Muslim  
rituals and at the time of marriage, huge sums of



money, ornaments, furniture, utensils etc. had been given, however subsequently, the husband of the daughter of the informant and her in-laws started torturing and assaulting the daughter of the informant on account of non-fulfilment of the demand for dowry and finally, the accused persons had killed her and discreetly disposed of her dead body.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he is the brother-in-law of the deceased victim lady and he is having a clean antecedent. It is further submitted that similarly situated co-accused persons have already been granted anticipatory / regular bail vide Criminal Miscellaneous No. 39540 of 2018, Criminal Miscellaneous No. 27745 of 2018 and Criminal Miscellaneous No. 15252 of 2018.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking



into account the parity of the case of the petitioner with that of the co-accused persons, who have already been granted the privilege of bail by coordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IInd, Hajipur at Vaishali in connection with Desari P.S.Case No. 271 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

Ajay/-

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