

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15110 of 2020**

Arising Out of PS. Case No.-125 Year-2019 Thana- POTHIIYA District- Kishanganj

Abul Kalam Son of Taslimuddin Resident of Village - Baghmara, P.S.- Pothia,
District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 01-06-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Pothia P.S. Case no. 125 of 2019 registered for offence under sections 304B and 34 of the Indian Penal Code.

As per allegation in the F.I.R., the daughter of the informant was married as per Muslim custom to the petitioner about 14 months back. In the marriage, the informant had given gifts as per her capacity. Soon after the marriage the accused persons started making demand of dowry and started to torture the informant's daughter. They forced her to come to her *Sasural*. It is further stated that for the sake of dowry, with the intention to enter into the second marriage they killed the



informant's daughter by hanging her. She was thereafter taken to the hospital and from there taken for postmortem.

It is submitted by learned counsel for the petitioner that from reading of the F.I.R. it would transpire that there is no mention as to what was the demand of the accused persons. The daughter of the informant was mostly residing in her *Naihar*. It is further submitted that sister of the petitioner was married with the brother of the deceased and in course of visiting each other the petitioner and the deceased fell in love and thereafter marriage was performed. It is further submitted that a U.D. Case being U.D. Case No.33 of 2019 was also registered, mention of which has come in course of investigation. In the postmortem report, besides the ligature mark, no other injury has been found on the body of the deceased. It is finally submitted that the other co-accused have been granted anticipatory bail vide order dated 27.11.2019 passed in Cr.Misc.No.71043 of 2019.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the fact of the petitioner being husband of the deceased, there being direct allegation against him for demand of dowry leading to death of the informant's daughter just 14



months after the marriage, this Court is not inclined to enlarge
the petitioner on bail.

The application for bail of the petitioner stands rejected.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

