

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23603 of 2020

Arising Out of PS. Case No.-68 Year-2005 Thana- HARSIDHI District- East Champaran

Murtuza Mian aged about 70 years [Male] s/o Alamat Mian r/o vill Jagapakar
P.S. Harsidhi, Dist. East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-11-2020 Heard Mr. Dhananjay Kumar No. 2 , learned counsel
for the petitioner and Mr. Raj Kishore Singh, learned counsel
appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Tr.
No. 04 of 2019 arising out of Harisidhi P.S. Case No. 68 of 2005
registered for the offence under Section 498 A / 326 / 307 / 34
of the I.P.C., later on Section 304 [B] of the I.P.C. and Section
¾ of the Dowry Prohibition Act has been also added.

The allegation as per the First Information Report is
that the daughter of the informant was married to one Munna
Mian on 17.05.2004 and after marriage the husband of the
deceased and other family members started demanding dowry
and due to non fulfillment of demand, the daughter of the
informant was killed by setting her on fire. It has further been



alleged that the daughter of the informant informed him that in the night when she was sleeping her mother-in-law poured kerosene oil on her body and set her on fire through a match stick.

Learned counsel for the petitioner submits that petitioner is the father-in-law of the deceased. Learned counsel further submits that from perusal of the First Information Report and materials collected by the Police during investigation it would be evident that there is specific allegation against the mother-in-law of the deceased, who allegedly set the deceased on fire with the help of kerosene and match stick. Learned counsel further submits that statement of the deceased was also recorded in the case diary and she specifically disclosed the name of her mother-in-law who set her on fire. Learned counsel also submits that Police after investigation submitted final form not sending the petitioner for trial. However, the learned Magistrate differed with the final form and took cognizance against the petitioner and after having knowledge of the same the petitioner surrendered before the court below on 22.01.2020 and since then he is in custody. Learned counsel further submits that the mother -in-law of the deceased has already been granted bail by this court in Cr. Misc. No. 32900 of 2007.



Having heard learned counsel for the parties and taking into consideration the materials available on record, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Areraj E. Champaran at Areraj in connection with Tr. No. 04 of 2019 arising out of Harisidhi P.S. Case No. 68 of 2005 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

praful/-

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

