

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25830 of 2020

Arising Out of PS. Case No.-61 Year-2017 Thana- NAUHATTA District- Saharsa

MD. MUSTUFA S/o Md. Shamsuddin Resident of Ward No.5, Police Station-
Nauhatta, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ansul
		Mr.Wasi Ahmad Khan
For the Opposite Party/s :		Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 16-12-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Nauhatta
P.S. Case No. 61 of 2017, disclosing offence punishable under
Sections 304-B/34 of the Indian Penal Code.

The petitioner is the husband of the deceased, whose
application for grant of regular bail was earlier rejected by this
Court by an order dated 14.03.2019, passed in Cr. Misc. No.
65673 of 2018. He is in custody since 12.03.2018.

It is alleged in the FIR that there was demand for
dowry and because of non-fulfillment of the same, the deceased
was forcibly made to consume poison resulting in her death.

Learned counsel appearing on behalf of the petitioner
referring to the First Information Report has submitted that



evidently there was no dispute between the petitioner and the deceased for first two years of marriage. General allegation of demand for dowry against the petitioner and all his family member after two years of marriage is an afterthought. He has further drawn my attention to the statement made in the application that after framing of charge on 13.03.2020, not even a single witness has been examined till date.

Considering the aforesaid circumstance, since the petitioner is in custody since 12.03.2018, this application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned District Judge, Saharsa, in S.T. No. 72 of 2020, arising out of Nauhatta P.S. Case No. 61 of 2017.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

(Chakradhari Sharan Singh, J)

Rajesh/-

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

