

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77747 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- BHAGWAN BAZAR District- Saran

Taufique Alam @ Md. Taufique Alam, age 25 years, Male, S/o Md. Rafik @
Rafique, R/o Mohalla- Nai Bazar, P.S.- Bhagwan Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-03-2020 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State as well as learned
counsel for the informant.

The petitioner seeks bail in Bhagwan Bazar P.S. Case
No.167 of 2019, registered under Sections 304(B) and 34 of the
Indian Penal Code.

The brother of the deceased alleged that his sister was
married with the petitioner in the year 2017 and after marriage
her husband and other family members started subjecting her to
physical and mental torture due to non-fulfillment of demand of
dowry. Even after much persuasion, the accused persons
continued to torture his sister. On 10.04.2019, the informant got
information about killing of his sister and when the informant
went there, the husband and other in-laws of his sister were not



present in the house. The police came and recovered the dead body.

Learned counsel for the petitioner submits that one labour was white washing the adjacent house and he disclosed that a child was weeping inside the room and one lady hanged herself and died. It is further submitted that there is no material to show that the petitioner ever tortured his wife.

Learned counsel for the informant as well as the learned Additional Public Prosecutor submits that when the informant after having received the information about killing of his sister went to the house of his sister, no family member was found present in the house. The police came and recovered the dead body from the cot. There is ligature mark all around the neck of the deceased. There is specific allegation that the petitioner being the husband of the deceased was torturing her due to non-fulfillment of demand of dowry. Thus, the petitioner does not deserve bail.

Having considered the submissions, it appears that the petitioner is the husband of the deceased. The deceased died of strangulation within two years of her marriage and many witnesses including the informant disclosed that the petitioner was subjecting the deceased to different sorts of torture due to



non-fulfillment of demand of dowry. The deceased died within two years of her marriage.

Taking into consideration the facts and the fact that the petitioner is the husband of the deceased, I am not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within one year from the date of receipt of this order. If the trial is not concluded within one year, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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