

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 81292 of 2019

Arising out of PS Case No.-783 Year- 2018 Thana-Barachatti District-Gaya

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Md. Wakil Quraishi, male, aged about 35 years, S/o Md. Gaffar Quraishi, R/o
Village-Hemzapur , P.S.-Mohanpur, District-Gaya.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Prithivi Raj Singh, Adv.

For the State : Mr. Damodar Prasad Tiwary, APP

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CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

06/- 31.08.2020

Heard Mr. Prithivi Raj Singh, learned Advocate for the
petitioner and Mr. Damodar Prasad Tiwary, learned APP for
the State.



The petitioner seeks bail in connection with Barachatti (Mohanpur) P.S. Case No. 783 of 2018, dated 22.12.2018, instituted for the offences under Sections 304(B)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The petitioner is the husband of the deceased.

It has been submitted on behalf of the petitioner that he has been implicated in this case because of some misunderstanding on the part of the informant, who is the brother of the deceased. The marriage between the petitioner and the deceased had taken place in the year 2012. The occurrence is said to have taken place on 12.12.2018, but the F.I.R. appears to have been lodged on 22.12.2018, *i.e.*, after ten days' of the occurrence and without any explanation. Three children also are said to be born out of the wedlock.

Learned counsel for the petitioner, therefore, submits that keeping the petitioner in custody any further would be of no use as there would be no one responsible to take care of the children. He further submits that the petitioner, who is in



custody since 03.10.2019, shall not tamper with the evidence in any manner whatsoever.

However, regard being had to the nature of accusation against the petitioner in the F.I.R., I am not inclined to grant bail to him for the present.

The prayer for bail is rejected.

The report about the stage of the case, which has been received from the Court below, indicates that the case has yet not been committed to the Court of *Sessions*.

In any view of the matter, if there is no substantial progress in the case in the next nine months, the petitioner would have the liberty to approach this Court again for grant of bail.

With the aforesaid observation/direction, the application stands disposed off.

(Ashutosh Kumar, J.)

Praveen-II/-

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