

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85795 of 2019**

Arising Out of PS. Case No.-406 Year-2019 Thana- MANIHARI District- Katihar

Md. Haiyul Alam @ Haiul Alam, Son of Md. Mubarak Resident of Village -  
Bari Kodar Janna, P.S.- Muffasil, Distt - Sahebganj (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      18-03-2020                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Petitioner seeks bail in connection with Manihari P.S.  
Case No. 406 of 2019, registered for the offence punishable under  
Section 304B/34 of the Indian Penal Code.

The prosecution story in brief is that petitioner is the  
father-in-law of the victim girl and the other accused persons along  
with the petitioner demanded a dowry of Rs. 2 lakhs from the  
victim girl and her family members and due to non-fulfillment of  
the demand of dowry, the petitioner and others tortured the victim  
girl with cruelty and ultimately the victim girl has been killed by the  
accused persons including the petitioner.

Mr. Ajit Kumar Singh, learned counsel appearing for the  
petitioner submits that the petitioner is father-in-law of the victim  
girl and from perusal of the First Information Report, it would be



evident that the victim girl along with her husband, i.e., son of the petitioner were living separately in the house of one Chaubey Jee at Manihari Tola, Katihar whereas the petitioner resided at district Sahebganj, Jharkhand. Learned counsel further submits that this fact has also come into light during the course of investigation inasmuch as from perusal of paragraph No.55 of the case diary, it would be evident that the supervising officer has recorded this fact that the victim girl used to reside with her husband at Manihari Tola, Katihar. Learned counsel further submits that there is no allegation in the First Information Report that immediately before the occurrence, the victim girl was tortured and assaulted by this petitioner.

On the other hand, learned counsel appearing for the State opposes the prayer for regular bail and submits that during the investigation though it has come to light that the victim girl was residing with her husband separately and petitioner along with other family members used to pressurize the victim girl for dowry.

The petitioner is in custody since 22.10.2019.

After having heard learned counsel for the parties and taking into consideration the fact that the victim girl was residing with her husband far away from the residence of the petitioner and



the petitioner is father-in-law and is in custody since 22.11.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar, in connection with Manihari P.S. Case No. 406 of 2019, with following conditions :-

(1) one of the bailors should be local people having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the Court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Anil Kumar Sinha, J)**

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