

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14824 of 2021

Arising Out of PS. Case No.-102 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

Md. Samser @ Shamsheer Alam, S/O Md. Tahir @ Md. Musafir, R/V - Supaul,
P.S. - Ghanshyampur, District - Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 05-10-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Ghanshyampur P.S. Case No.102 of 2020 registered for the offence punishable under Sections 304B/34 of the Indian Penal Code, which is pending in the court of learned C.J.M.-III, Biraul, Darbhanga.

Being husband of the deceased, the petitioner is in custody since 15.05.2020. He is alleged to have killed his wife by setting her ablaze for non-fulfilment of demand for dowry, for which she was being subjected to cruelty.

The petitioner's counsel submits that the fact that the petitioner was found present at the hospital at the time she was being treated is manifest on the petitioner's *bona fide*.



Learned APP has opposed the prayer for bail. He submits that the petitioner being the husband is primarily responsible. Having regard to the nature of allegations, this Court should not entertain the application for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the learned APP. Prayer for bail is rejected, for the present.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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