

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19085 of 2021

Arising Out of PS. Case No.-130 Year-2020 Thana- RAJNAGAR District- Madhubani

MD. HAIDER ALI S/O LATE ABDUL HALIM R/o Village/Mohalla-
Gaushala Road, Ward No. 11, P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aprajita, Advocate

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

For the Informant : Mr. Vivekanand Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 15-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant was married to the petitioner. It is stated the petitioner was making a demand of Rs. 5 lacs and for non-fulfillment of the same was torturing the informant's daughter. It is stated that she was not given food and subsequently it transpired that the petitioner had killed the informant's daughter by hanging her.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only on account of being the husband of the deceased. Learned counsel has taken the Court in detail through the materials that



has transpired in course of investigation to submit that admittedly the witnesses are not an eye-witness to the occurrence. The independent witnesses who have been examined in course of investigation have categorically stated about the deceased committing suicide. The petitioner is in custody since 28.5.2020 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that there is direct and specific allegation of demand of dowry against the petitioner and in postmortem report it has transpired that the deceased was strangled to death.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the contents of the postmortem report and charge having been framed in the case on 9.9.2021, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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