

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20496 of 2021**

Arising Out of PS. Case No.-288 Year-2020 Thana- TAJPUR District- Samastipur

NAZRE AALAM @ MD NASRE S/O MD RAHIM Resident of Sahpur
Baghauni, Ward No. 8, P.S.- Wani, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Vikram Rana, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kumar Gautam, APP

**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 and sections 3 and 4 of the Dowry Prohibition Act.

As per the prosecution case, the daughter of the informant who was regularly tortured by the accused persons including the petitioner herein was done to death.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He happens to be the unfortunate husband of the deceased. Having come to know the true facts, the parties have settled their dispute and filed compromise petition, copy of which has been brought on record as Annexure- 2 to the petition. The petitioner



is in custody since 30.7.2020 and has no criminal antecedent.
Case not even having been committed in the Court below, there
is no chance of the trial concluding in the near future

The application for bail is opposed by learned APP
for the State who submits that the petitioner is the husband of
the deceased and the cause of death in the postmortem report is
stated to be mechanical asphyxia due to strangulation.

Having heard learned counsel for the parties and
taking into consideration the facts and circumstances of the
case, the petitioner being the husband of the deceased and the
contents of the postmortem report, the Court is not inclined to
enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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