

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26535 of 2021

Arising Out of PS. Case No.-490 Year-2020 Thana- BHAGWAN BAZAR District- Saran

AKHTAR NASHIM S/o Md. Nazir R/o village- Mirjapur, P.S.- Marhurah,
District- Saran at Chhapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-12-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 498A and 304 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that she was tortured and beaten up for nonfulfilment of demand of dowry by the accused including the petitioner herein. Subsequently, on one of the occasions in course of her being beaten up by the petitioner, their small girl child fell down, was referred to the hospital and died in course of treatment.

It is submitted by learned counsel for the petitioner that the petitioner who happens to be the husband of the



informant has been falsely implicated in the case for oblique reasons. From perusal of the F.I.R. it would transpire that the petitioner himself has lost his child. He is in custody since 22.2.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the material that has transpired in course of investigation including the contents of the postmortem report and the petitioner having remained in custody for over 9 months, the Court directs the petitioner to be enlarged on bail in connection with Bhagwan Bazar P.S. Case no. 490 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate - I, Saran at Chapra.

(Partha Sarthy, J)

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