

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37414 of 2021

Arising Out of PS. Case No.-124 Year-2019 Thana- KOCHAS District- Rohtas

=====

HAKIM ANSARI @ HAKIM MIYAN Son of Late Ahmad Miyan Resdient
of Vill- Kuchhila P.s.- Kochas District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Pandey, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-09-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter
before the Bench.

The petitioner seeks bail in connection with Kochas P.S.
Case No.124/19, registered for the offence punishable under
Sections 304(B), 34 of the Indian Penal Code.

The prosecution case in short is that daughter of the
informant has been killed by hanging by her husband and the
in-laws for non-fulfillment of demand of dowry. Petitioner is
the father-in-law of the informant's deceased daughter.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case. From the FIR, it transpires that there is no specific allegation against the petitioner rather the allegations are general and omnibus in nature. At the time of occurrence, petitioner was not present in the house and there is no allegation of demand of dowry and torture against the petitioner as he was living separately from his son, who was not in the control of the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 20.01.2021.

Learned counsel for the petitioner submits that as per order dated 04.09.2021 passed by this Court, he has filed a supplementary affidavit, stating therein that husband of the deceased has already surrendered before the learned court below on 29.01.2021 and is still in custody.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, since there is no specific overt act against the petitioner and husband is already in custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.



25,000/- (Rupees Twenty Five Thousand) with two sureties of
the like amount each to the satisfaction of the learned
A.C.J.M.-1, Sasaram, Rohtas, in connection with Kochas P.S.
Case No.124/19.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

