

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29234 of 2020

Arising Out of PS. Case No.-299 Year-2019 Thana- HAJIPUR District- Vaishali

MD. NEYAZ @ MOHAMMAD NEYAZ ALAM S/o Late Mohammad Mahboob Alam Resident of Village- Panriwa Bauli @ Pandriva Bauli, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Subodh Kumar Jha, Advocate
	Mr. Pranav Kumar Jha, Advocate
For the Opposite Party/s :	Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

7 22-01-2021 Heard learned counsel for the petitioner and Mr. Dinesh Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Hajipur Town P.S. Case No. 299 of 2019 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the informant in his fardbeyan alleged that his sister Anwari Khatoon was married to the petitioner about seven years before and after marriage she was blessed with two children who are aged about five years and 2-1/2 years respectively. It is alleged that her sister was being tortured by her in-laws including her husband for non-fulfillment of demand of dowry and ultimately she was killed.

Learned counsel for the petitioner submits that the petitioner is the husband of the deceased and marriage had taken



place ten years before. It is submitted that the deceased has committed suicide as she was not happy due to poor financial condition of the family. The petitioner was working in a footwear shop and was getting a meager amount of Rs. 5000/- per month only. It is further submitted that during post mortem no bodily injury was found on the person of the deceased. The petitioner is in custody since 25.11.2019.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the marriage between the petitioner and the deceased had taken place ten years ago and that the petitioner was working for a paltry amount of Rs. 5000/- per month in a footwear shop and because the family was in financial crunch the deceased was not happy and it seems that she had committed suicide, the submission of learned APP for the State after perusal of the case diary is that as per the post mortem report the death has been caused due to 'asphyxia' but no bodily injury has been found on the person of the deceased, the petitioner has remained in jail for more than a year by now, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Ms. Kumari Priyanka, Judicial Magistrate, Ist Class/concerned court, Vaishali at Hajipur in S.T. No.



109 of 2020 arising out of Hajipur Town P.S. Case No. 299 of 2019
subject to the condition as laid down under Section 437 (3) Cr.P.C. as
under :

(a) that such person shall attend in accordance with the
conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to
the offence of which he is accused, or suspected, of the commission
of which he is suspected, and

(c) that such person shall not directly or indirectly make
any inducement, threat or promise to any person acquainted with the
facts of the case so as to dissuade him from disclosing such facts to
the Court or to any police officer or tamper with the evidence.

And further condition that they will abide by and observe
the guidelines and directives of the Government of India and the
State Government with regard to COVID-19 Pandemic.

Case diary has been returned. Let it be taken on record.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

