

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40972 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- RAXAUL RAIL P.S. District- West
Champaran

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Saleem Ansari S/o Ummat Ansari @ Ummat Miyan R/o village- Yamuna
Nagar, Ward No. 13, P.S.- Addapur, District- East Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Sanjay Kumar No 7, Adv.
For the State	:	Mr. Amitesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Raxaul Rail P.S. Case no. 37 of 2019 registered under sections 304 B and 34 of the Indian Penal Code.

As per allegation in the F.I.R., the accused persons including the petitioner herein are stated to have tortured the daughter of the informant for dowry. It is further stated that the daughter of the informant died from an injury caused by the petitioner.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and



concocted. The allegations as levelled in the FIR do not constitute an offence under section 304 B of the I.P.C. The petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the deceased. He is in custody since 31.07.2019 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State who submits that from the FIR itself it transpires that the daughter of the informant was tortured for demand of dowry by the accused persons including the husband-petitioner herein and her death has taken place within seven years of marriage in a manner other than under normal circumstance.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail. The same is rejected.

The learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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