

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 857 of 2021**

Arising Out of PS. Case No.-186 Year-2019 Thana- DHAKA District- East Champaran

ANWARUL HAQUE Son of SHEKH SOYEB @ GANAUR @ SOYEB
ALAM Resident of Village - Sorpaniya, P.S. - Dhaka (Pachpakadi), District -
East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Ramakant Sharma, Sr Advocate with M/s Rakesh Kr Sharma, Amresh Kr, Lakshmi Kant Sharma, Advocates
For the Opposite Party/s :		Ms Nirmala Kumari, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 21-06-2021 This case has been taken up today for consideration
through Video Conferencing.

Heard learned senior counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in Dhaka (Pachpakadi)
Police Station Case No 186 of 2019 dated 08.06.2019 instituted
for the offence punishable under Sections 304B/34 of Indian
Penal Code.

The case of the prosecution, as per version of the
father of the victim, is that for the last 3 to 4 years, his daughter
was being tortured in relation to dowry by the in-laws. There is
allegation that she has been strangulated and set ablaze by her



husband, father-in-law and mother-in-law. Petitioner is the husband. It is submitted that he is now in custody for more than one year, i.e., since 10.06.2019. The learned senior counsel submits that it is a case of false implication. There is no complaint prior to lodging of the instant case though it is alleged that torture and demand of dowry have been continuing for the last 3 – 4 years. It is a case of suicide and the petitioner has been falsely implicated in this case.

The learned APP for the State has opposed the prayer for bail. It is submitted that the unnatural death has occurred within seven years of marriage. The First Information Report alleges demand of dowry. The post mortem report has found death due to haemorrhage on account of burn injuries. Petitioner, being husband, cannot escape his liability.

Report had earlier been called for by this Court. From the report, it is apparent that the record has been received on 12.03.2021 in the Court of Additional Sessions Judge XXI, East Champaran, Motihari and is pending at the stage of charge. The Pandemic, in the meantime, has not allowed any prosecution case in the trial Court.

Considering the rival submissions, this Court is not inclined, for the present, to grant bail to the petitioner. The



same is rejected.

(Madhuresh Prasad, J)

M.E.H./-

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

