

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69741 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- MADHUBAN District- East Champaran

MD. TABREZ ALAM Son of Md. Naimuddin Resident of Village -
Madhopur Tasgari, P.S.- Madhuban, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 07-10-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant who was married to the petitioner herein in the year 2017 was burnt to death due to non fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case because of his relationship of being the husband of the deceased. He is in custody since 27.8.2018 and has no criminal antecedent. There is no progress in the trial in the learned court below.



The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties, on perusal of the postmortem report it transpires that the cause of death of the daughter of the informant was shock and haemorrhage as a result of 100 % burn of the body. The petitioner being the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Taking into consideration the period in custody, liberty is granted to the petitioner to renew his prayer for bail if there is no progress in the trial in the learned trial court, six months after receipt of a copy of this order in the court below.

(Partha Sarthy, J)

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