

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4789 of 2022**

Arising Out of PS. Case No.-378 Year-2020 Thana- GORAUL District- Vaishali

MD. IMRAN @ MD. IBRAM @ MD. IBRAN S/o Md. Suleman R/o village-  
Mansurpur Halaiya, P.S.- Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shivjee Singh

For the Opposite Party/s : Mr. Raj Kishore Singh

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

4      19-12-2022                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner seeks bail in connection with Goraul  
P.S. Case No. 378 of 2020, registered for the offences  
punishable under Sections 304(B) and 34 of the Indian  
Penal Code and after investigation charge-sheet submitted  
under Section 306 and 34 of the Indian Penal Code on  
11.11.2021 vide charge-sheet no. 501 of 2021.

The prosecution case as emerges from the F.I.R.  
is that the marriage of niece of the informant, namely,  
Nikhat Praveen was solemnized with one Md. Imran,  
according to Muslim rites and customs about two years ago.



After some times, her husband and his family members started torturing her for non-fulfillment of illegal demand of dowry and because of this she committed suicide.

The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that accused-petitioner/husband works at Hyderabad as cycle mechanic. Even as per the case-diary, at the time of alleged occurrence, the tower location of the mobile of the petitioner was found at Andhra Pradesh. He also submits that deceased-wife wanted to live with the petitioner but, he was not able to keep his wife at Hyderabad. He further submits that petitioner has left the deceased-wife at home to take care of his mother. He also submits that deceased-wife was blessed with son and out of frustration she had committed suicide. He further submits that petitioner had no role in causing death of the deceased. Even police found that she had committed suicide by burning herself inside the room and at the time of burning, the room was closed from inside. He also submits that investigation in this case is



complete and charge-sheet has already been submitted.  
However, charge is yet to be framed.

The petitioner has been languishing in jail since  
30.09.2021.

It is also stated in paragraph no. 2 of the petition  
that the petitioner has moved earlier before this Court for  
grant of anticipatory bail vide Cr. Misc No. 31767 of 2021.

It has further been stated in paragraph no. 3 that  
the petitioner has no criminal antecedent.

However, the learned APP for the State  
vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances,  
the petitioner, above-named, is directed to be released on  
bail on his furnishing bail bonds in the sum of Rs. 10,000 /-  
(Ten Thousand) with two sureties of the like amount each to  
the satisfaction of the Ld. Addl. CJM-1, Vaishali at Hajipur  
in connection with Goraul P.S. Case No. 378 of 2020, **after  
framing of charge, if not already framed** on the  
following conditions:

- (i) The petitioner will make himself available for



interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.



The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

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