

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13330 of 2022

Arising Out of PS. Case No.-221 Year-2020 Thana- KHAIRA District- Jamui

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Zunaid Ansari S/O Israfil @ Kailu Mian R/o village- Dhanwe, P.S.- Khaira,
Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate.

For the Opposite Party/s : Mr. M. K. Nirala, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-10-2022 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, within a

period of four weeks from today.

Heard Mr. Prabhat Ranjan Singh, learned counsel for
the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Khaira P.S. Case No. 221 of 2020, for the
offences punishable under Sections 304B, 120B/34 of the Indian
Penal Code.

The prosecution case is based on a written complaint
filed by the informant alleging therein that the marriage of his
sister was solemnized with the petitioner, however, soon after
the marriage, she was subjected to torture on account of non-
fulfillment of demand of dowry to the tune of motorcycle and



one lakh in cash. It is further alleged that on 07.06.2020 at about 08:30 pm, the informant received an information that his sister (victim) was killed by the hands of all the accused persons including the petitioner.

It is submitted by the learned counsel appearing on behalf of the petitioner that the petitioner being unfortunate husband of the deceased, is in custody since 09.06.2020 and save and except general and omnibus allegation, there is no other material suggesting his complicity. He further drawn the attention of this court towards the statement of the brother of the deceased and other witnesses, who have made specific allegation against the elder brother of the petitioner. He also submitted that taking into account the aforesaid aspect of the matter, other co-accused persons have also been allowed privilege of anticipatory bail vide Annexure-2 to this bail application.

On the other hand learned APP for the State vehemently opposes the bail application and submitted that admittedly the deceased died in otherwise under normal circumstance within seven years of in her marriage and soon before her death, she was subjected to torture on account of demand of dowry and the petitioner is none-else but the husband



of the deceased, who was under obligation to protect her even if certain wrongful act was done by the elder brother of the petitioner.

Regard being had to the submissions made on behalf of the parties and considering the materials available on record as also the postmortem report, which suggest that the deceased died on account of strangulation and other injuries have also been found over her body, apart from the fact that the petitioner happens to be the husband of the deceased, this court is not persuaded to enlarge the petitioner on bail for present.

It is expected that the learned trial court will take all necessary measures to expedite and conclude the trial as early as possible.

(Harish Kumar, J)

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