

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14321 of 2022

Arising Out of PS. Case No.-288 Year-2020 Thana- TAJPUR District- Samastipur

MD. RAHIM Son of Late Sahid Resident of Village- Shahpur Baghauni, P.S.-
Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 13-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the

offence punishable under Section 304B/34 of the Indian Penal Code

and sections 3/ 4 of the Dowry Prohibition Act.

Allegedly, this petitioner who happens to be father-in-law

of the deceased and his other family members including husband of

the deceased always physically and mentally tortured the deceased

for the demand of dowry and finally they strangled the deceased

to death.

The main submissions advanced by the learned counsel

for the petitioner are that admittedly, marriage of the deceased took

place 7 to 8 years ago as per informant and the deceased committed



suicide and after institution of the present case informant realized his mistake in lodging the present case and then he filed a compromise petition before the court below stating innocence of the petitioner and his family members. Further submission is that one co-accused Md Dulare has been granted bail by a coordinate bench of this court vide order passed in Cr. Misc. no. 35315 of 2021.

Learned APP opposes the prayer for bail.

Having considered the above submissions and knowing the fact that in the FIR any specific role of the petitioner in committing the alleged occurrence has not been levelled and one co-accused carrying similar nature of allegation who is also named in the FIR has been considered by a coordinate bench of this court vide order passed in the above mentioned miscellaneous case and as per petitioner, charge sheet has been submitted against the petitioner, his case is at initial stage of trial, admittedly marriage of the deceased took place 7 to 8 years ago and husband of the deceased is in custody as submitted, in my view, a lenient approach may be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate I, Samastipur in Tajpur P.S Case No. 288 of 2020.

(Shailendra Singh, J)

s.hassan/-

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