

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37672 of 2021

Arising Out of PS. Case No.-580 Year-2019 Thana- SHERGHATI District- Gaya

MD. RIZWAN Son of Imtiaz Ansari Resident of Village- Dhadhar, P.S.-
Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55336 of 2021

Arising Out of PS. Case No.-580 Year-2019 Thana- SHERGHATI District- Gaya

MD ARSHAD @ VOLU Son of Imteyaz Ansari @ Imtiyaz Ansari Resident
of Village- Ghaghar, P.S.- Sherghatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 37672 of 2021)

For the Petitioner/s : Mr. S. Jamil Akhtar, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 55336 of 2021)

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 07-04-2022 Heard the parties.

Both these applications for bail have been heard
together and are being decided by a common order as they arise
out of same PS Case i.e., Sherghati PS Case No. 580/2019.

Petitioners seek regular bail in connection with
Sherghati PS Case No. 580/2019 registered for the offences



punishable under Sections 341, 323, 304(B)/34 of the IPC.

This is a case of dowry death and the allegation is that the sister of the informant was married to the petitioner, Md. Rizwan (Cr. Misc. No. 37672 of 2021) in year 2013 and due to non fulfillment of the demand of dowry, the petitioner being husband and other family members tortured and killed the sister of the informant and her dead body was found lying in the courtyard. Petitioner, Md Arshad @ Volu (Cr. Misc. No. 55336 of 2021) is the brother-in-law (*Dewar*) of the deceased.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and the deceased died due to electrocution while she was cleaning ceiling fan. In support of his argument, learned counsel submits that in the postmortem report the doctor has opined the cause of death due to electrocution. The petitioners are in custody since 09.12.2019 and 17.04.2021 respectively. Charge-sheet has also been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the cause of death is due to electrocution as opined by the doctor in the postmortem report, the petitioners are in custody since 09.12.2019 and 17.04.2021 respectively and the



charge-sheet has also been submitted, I am inclined to grant regular bail to the petitioners subject to the condition that they will be well represented on each and every date in the trial and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

Accordingly, let the petitioners, namely, Md. Rizwan (Cr. Misc. No. 37672 of 2021) and Md Arshad @ Volu (Cr. Misc. No. 55336 of 2021) be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati in connection with Sherghati PS Case No. 580/2019.

(Anil Kumar Sinha, J)

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