

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31251 of 2022**

Arising Out of PS. Case No.-29 Year-2021 Thana- DHANKUND District- Banka

MD ISTO S/o Md. Jahangir Resident of Village- Khaira, P.S.- Dhankund,
District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s	:	Mr. Ram Sumiran Rai, APP
For the Informant	:	Mr. Satish Chandra Mishra, Advocate
		Md. Nurul Hoda, Advocate

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 22-11-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 302, 201
and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the informant alleges
that on 28.02.2021, her daughter Shabnam was married with
Md. Jamshed, it is next alleged that after marriage Rs. 1 lakh
was being demanded to which the informant showed her
inability on account of which her daughter was tortured, it is
next alleged that on 20.03.2021 she got an information that her
daughter has died and her body was lying in a farm, accordingly



she reached the place of occurrence and came to know that the accused persons had killed her daughter.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that husband of the deceased is in custody and petitioner is brother-in-law of the deceased, it is also submitted that informant is not an eyewitness to the occurrence and based on suspicion it has been alleged that all the family members, including the petitioner, killed his daughter for non-fulfillment of dowry demand.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner, learned counsel for the informant submits that dead body of the deceased was lying in a farm outside the house, it is next submitted that the murder was so brutal that even the private parts of the deceased were assaulted.

Learned counsel for the petitioner at this stage submits that he is not evading investigation and will cooperate in the investigation.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dhankund P.S. Case No. 29 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving undertaking to this Court that he will cooperate in the investigation, is not cooperating in the investigation or does not present himself when required, the learned trial court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and will have the liberty to even cancel his bail bonds.

The learned trial court is directed to send a copy of this order to the concerned P.S.

(Satyavrat Verma, J)

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