

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49019 of 2021**

Arising Out of PS. Case No.-33 Year-1997 Thana- KUTUMBA District- Aurangabad

Shauqat Ali @ Md. Shauqat Ali Son of Md. Islam Ansari Resident of Village -
Matpa Tole, Sonar Khap, P.S.- Kutumba, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 24-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Kutumba (Barun) P.S. Case No. 33 of 1997 registered for the offences punishable under Sections 304(B), 120(B) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

According to prosecution case, on the basis of fardbeyan of Md. Anul Haque Ansari alleging therein that on 12.03.1997 in the morning the brother of his son-in-law came and informed that his brother is not willing to keep your daughter upon which informant and some relative went to



village Sonar Khan and Panchayati was started in presence of villagers and his son-in-law (petitioner). In the meantime his son-in-law went to the home, then informant heard that his daughter set on fire. He further alleged that he alongwith other persons went to the house of the son-in-law and saw the dead body of his daughter lying on the bed. When he informed the incident to the other family members then they advised to perform the last rituals and not to take further action. It is also alleged that daughter of the informant was married with the petitioner and she was residing with the husband at village Sonar Khap. In marriage he gave cycle, ornaments etc as per his capacity but after some time the accused persons demanded another cycle and Rs.5000/- as dowry and for that reason they were tortured the daughter of the informant and he alleged that for that reason accused persons has committed the murder of his daughter for dowry.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case only on the ground that the petitioner is the husband of the deceased. The petitioner is in custody since 27.04.2019.

Vide order dated 17.12.2021 a report was called for



with regard to the present stage of trial. Report reveals that all the charge-sheeted witnesses are examined, cross- examined and thereafter discharged and the case record is currently running on the stage of statement of co-accused under Section 313 Cr.P.C.

Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of bail to the petitioner and accordingly, the same stands rejected.

(Rajesh Kumar Verma, J)

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