

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52544 of 2021

Arising Out of PS. Case No.-5 Year-2019 Thana- BASOPATTI District- Madhubani

SADRE ALAM @ MD. SADRE ALAM Son of Md. Asgar Resident of
Village - Chhorbanki, P.S.- Basopatti, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 25-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant was married to the petitioner and they had three children out of the said wedlock. 3-4 years after the marriage her father-in-law and mother-in-law started to torture her and started making demand of dowry and information with respect to the same was given by the informant's daughter on telephone. Ultimately it is said that the accused persons including the petitioner herein strangled her to death.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. The specific allegations of demand of dowry etc. is against the father-in-law and mother-in-law of the deceased and not the petitioner. The allegations against the petitioner is general and omnibus in nature. The petitioner is in custody since 30.8.2019 and there is no chance of the trial concluding in the near future.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being the husband of the deceased, the allegation in the FIR being of killing the informant's daughter by strangulation, which is confirmed from the postmortem report which shows cause of death to be due to asphyxia caused by strangulation, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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