

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63253 of 2021

Arising Out of PS. Case No.-224 Year-2021 Thana- BANIAPUR District- Saran

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Anwar Hussain Son of Late Md. Hadish Miya Resident of Village -
Jahangirpur, P.S. - Baniyapur, District - Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-05-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Baniyapur P.S. Case No.
224 of 2021, registered for the offence punishable under
Sections 304(B), 34 of the Indian Penal Code.

As per the prosecution case, petitioner along with
other co-accused persons killed the daughter of informant by
setting her on fire due to non-fulfillment of demand of dowry.
Petitioner is husband of the deceased.

It is submitted on behalf of the petitioner that no such
occurrence has ever taken place and there was no demand of
dowry by the petitioner and this false case has been lodged by
the informant only to extort money from the petitioner. As a
matter of fact, on 23.06.2021 at about 22.40 PM, Upendra Rai



ASI of Bhagwanpur Bazar police station recorded the fardbeyan of deceased and she in her fardbeyan has stated that on 23.06.2021 at about 8.30 in the night there was some hot discussion between the deceased and her mother-in-law and out of anger she sprinkled kerosene oil on her body and set herself on fire due to which she sustained burn injuries. There is general and omnibus allegation. Entire prosecution case is false and fabricated. Petitioner is in custody since 25.06.2021 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail.

Considering the nature, gravity of offence and the fact that petitioner is husband of the deceased and deceased died in unnatural circumstance within seven years of marriage at her matrimonial home, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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