

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66282 of 2021**

Arising Out of PS. Case No.-208 Year-2021 Thana- PIPRA District- East Champaran

Abbash Ansari, Son Of Gyasuddin Ansari, Resident Of Village - Hardiyabad,
P.S. - Pipra, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s :	Mr. Prem Kumar Jha, APP
For the Informant :	Mr. Pratyush Pratap Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 17-05-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned counsel for the informant and Mr. Prem Kumar Jha, learned APP for the State.

Petitioner in the present case is seeking regular bail in connection with Pipra P.S. Case No. 208 of 2021 registered for the offences punishable under Sections 304B/34 of the Indian Penal Code. He is in custody since 01.08.2021. The petitioner has no criminal antecedent.

As per the prosecution story, the daughter of the informant was married to the son of this petitioner in accordance with Muslim Customs on 06.03.2021. On 31.07.2021, the informant came to know that his daughter has been killed due to



non-fulfillment of the demand of dowry.

Learned counsel for the petitioner submits that the allegation of demand of dowry is only concocted and baseless. This petitioner is the father-in-law of the deceased who lives separately in mess and business from his son.

Learned counsel further submits that the *post-mortem* report of the deceased would show that she died due to hanging. In the *post-mortem* report, no other injury indicating any physical torture to the deceased has been suggested. It is lastly submitted that the husband of the deceased has surrendered today in the learned court below. Learned counsel submits that he has received instruction to say so and he is ready to furnish his instruction in writing.

Learned counsel for the informant and learned APP for the State have opposed the prayer for bail of the petitioner. It is submitted that the petitioner is the father-in-law of the deceased and as per the FIR, all the accused persons were involved in demanding dowry.

Having regard to the submissions noted hereinabove and the materials discussed as also upon finding that this petitioner being father-in-law has remained in custody for more than 9 months, investigation against him is complete and his presence may also be secured in course of trial and that the husband of the



deceased has now surrendered, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Pipra P.S. Case No. 208 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that while accepting the bail bond, learned court below shall verify the fact that the husband of the deceased has already surrendered.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

