

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67025 of 2021**

Arising Out of PS. Case No.-234 Year-2021 Thana- SIKARPUR District- West Champaran

AJAD ANSARI @ MD.AJAD ANSARI Son of Aalim Miyan @ Aalim
Ansari Resident of Village - Murali, P.S.- Shikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Brij Kishor Mishra, Advocate Mr. Sachida Nanda Rai, Advocate
For the Opposite Party/s	:	Mr.Nand Kumar. APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 13-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Shikarpur P.S. Case No. 234 of 2021 registered for the alleged offences under Sections 304(B) and 34 of the Indian Penal Code.

As per prosecution case, the niece of the informant was killed by the petitioner and other co-accused persons on account of their demand of dowry. The petitioner is the husband of the deceased.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. His wife died on falling down from the stairs and her death was due to lack of proper treatment. The petitioner has no role in her death. The post mortem report also shows the death was due to haemorrhage and shock due to head injury and this supports the claim of the petitioner that she died due to fall from the stairs. The independent witnesses examined during investigation have also stated that the niece of the informant died due to fall from stairs. Charge sheet has been submitted in this case and the petitioner is in custody since 03.06.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the niece of the informant died in her matrimonial home within seven years. Post-mortem report shows death was due to head injury which was caused by hard and blunt substance.

Perused the records.

Having regard to the fact that the petitioner is the husband of the deceased who died under suspicious circumstances and post mortem report shows head injury which proved fatal and allegation is against this petitioner, I am not inclined to enlarge the petitioner on bail at this stage.



Accordingly, his prayer for grant of bail is rejected.

The learned trial court is directed to expedite the trial
and conclude the same within nine months.

(Arun Kumar Jha, J)

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