

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10761 of 2023

Arising Out of PS. Case No.-1132 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

MD. RINKU @ MD. SHAKIL S/O Md. Khursheed R/O Mohalla Batao
Kuan, P.S- Chowk, Patna city, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shama Parveen W/O Md. Asif R/O Mohalla Nauzar ghat, Deewan Mohalla,
P.S- Khajekalan, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Raj Krishna Jha
For the Opposite Party/s :	Mr. Sanjay Kumar
	Mr. Ranjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 07-07-2023 Heard learned counsel for the petitioner, learned counsel
for the opposite party no.2 and learned APP for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 498A, 379, 504, 34 of
the Indian Penal Code.

Petitioner, who is husband of the daughter of opposite
party no.2., is said to have ousted her daughter from her
matrimonial home in association of his family members over the
dowry demand. As per the prosecution story, the daughter of the
O.P. No.2 died, the very next day, after giving birth to a male
child.

It is submitted by learned counsel for the petitioner that



the petitioner is an innocent person and has committed no offence. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. It is submitted that it was the negligence of the doctor that resulted in the death of the petitioner's wife while delivering the child. The petitioner has relied upon the judgment of this Court in the case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar**, reported in **2006 (3) PLJR 182**.

Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No.1132 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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