

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22072 of 2022

Arising Out of PS. Case No.-150 Year-2020 Thana- AAJAM NAGAR District- Katihar

ABDUL MANNAN Son of Amjad Ali R/o village - Ratania, P.S. - Azamnagar, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 09-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201 and 120B of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

As per the prosecution case, the daughter of the informant was married to the son of the petitioner and they have a eight year old child. The informant states that he received information to the effect that the accused persons which included his daughter's husband, daughter's mother-in-law as also the daughter's father-in-law (petitioner herein) had brutally assaulted and killed his daughter and had put her body in the septic tank. On search the body was recovered from the septic tank and sent for postmortem examination. The informant states



that his daughter used to inform about the torture and assault by the accused persons including her husband, mother-in-law and father-in-law (petitioner herein) for non-fulfillment of the demand of dowry to the tune of Rs. 1 lac in cash and gold.

From the contents of the petition it transpires that the case of the petitioner is that he is the innocent father-in-law of the deceased. He is an aged person and lives separately. He has no concern with the affairs of his son ie the husband of the deceased. There is no specific allegation against this petitioner. The petitioner is in custody since 11.2.2022 and undertakes to cooperate in the trial.

The application for bail is opposed by learned A.P.P for the State.

On perusal of the contents of the petition it transpires that there is direct allegation against the petitioner as also the mother-in-law and husband of the deceased in the F.I.R. It appears that the petitioner ie father-in-law of the deceased absconded and for this reason the trial of the husband and mother-in-law of the deceased proceeded vide Sessions Trial no. 224 of 2020 where both of them were held guilty.

In view of the facts of the case, the allegation against the petitioner in the F.I.R as also the material which has



transpired in course of investigation wherein as per the contents of the postmortem report the cause of death is stated to be asphyxia due to strangulation by towel and head injury caused by hard and blunt substance leading to haemorrhagic and neurogenic shock, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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