

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35425 of 2023

Arising Out of PS. Case No.-29 Year-2022 Thana- NATWAR District- Rohtas

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Shamsher Alam S/O Karamat Ali @ Laddu Miyan R/O Village-Natwar Kala,
P.S.-Natwar, District-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh

For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Natwar P.S. Case No. 29 of 2022 registered for the offence
punishable under Sections 304(B)/34 of the Indian Penal Code
and Sections 3 and 4 of Dowry Prohibition Act.

As per FIR the prosecution case, in brief, is that the
informant's daughter (deceased) got married with the petitioner
in the year 2019 and blessed with one child from the wedlock
but petitioner along with his family members has tortured in
various ways to the daughter of the informant due to non-
fulfillment dowry demand and ultimately on 21.03.2021, the
informant came to know that her daughter has been killed by the



accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. Petitioner is the husband of the deceased and he has been falsely implicated in this case. There is no prior complain/information regarding torture and harassment made by the petitioner. He has never demanded any thing from the deceased or from the informant side. The informant is not the eye witness of the alleged occurrence and he lodged the case on the basis of hearsay evidence. In fact, the deceased committed suicide by hanging herself and this fact has come into light during investigation vide para 53 and 55 of the case diary. The postmortem report also corroborate this fact in which the doctor opined that cause of death is due to asphyxia by hanging. Petitioner is languishing in judicial custody since 22.03.2022.

Learned APP appearing for the state and learned counsel for the informant have has opposed the prayer of regular bail and submitted that petitioner is husband of the deceased and he must be responsible to keep his wife with proper behavior and dignity but he did not do so.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-XVI, Rohtas at Sasaram in connection with Natwar P.S. Case No. 29 of 2022.

(Sunil Kumar Panwar, J)

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