

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43379 of 2023

Arising Out of PS. Case No.-359 Year-2022 Thana- SASARAM NAGAR District- Rohtas

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AMIQUE ALI Son of Sadique Ali Resident of Mohalla - Imli Adam Khan,
Ward No.- 16, Sasaram, P.O. and P.S.- Sasaram Town, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Advocate
	:	Mr. Rajeev Kumar, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP
For the Informant	:	Mr. Nawal Kishor Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 31-07-2023
1. Heard learned counsel for the petitioner, learned counsel for the Informant and learned APP for the State.
 2. Petitioner seeks regular bail in connection with CIS No./S.Tr. Case No.14 of 2021 arising out of Sasaram Town P.S. Case No.359 of 2022 dated 07.05.2022 registered for the offence/s punishable under Section/s 498A, 304(B), 302 read with 34 of the Indian Penal Code.
 3. As per the prosecution, the informant's sister was killed by this petitioner along with his family members over non-fulfillment of dowry demand.
 4. The main submissions advanced by the learned counsel for the petitioner are that the petitioner is the husband of the deceased, in fact the deceased fell down from the



stair case and sustained injuries which resulted in her death and she was also suffering from depression at that time and petitioner has been languishing in jail since 07.05.2022 and during investigation the witnesses whose statements were recorded under Section 161 Cr.P.C. made contradictory statements regarding the allegations levelled against this petitioner in the FIR.

5. Learned counsel for the Informant has vehemently opposed the bail prayer of the petitioner and submitted that on the person of the deceased several injuries were found and the instant matter relates to offence of murder.

6. Learned APP appearing for the State also opposes the bail prayer.

7. Heard both the sides and perused the FIR. The deceased who happened to be wife of this petitioner died an unnatural death within three years of her marriage and admittedly on her body injuries were found and as per the allegation levelled by deceased's brother this petitioner and his family members tortured the deceased over a demand of Rs.2,35,000/-. Considering the seriousness of the allegation appearing against the petitioner, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly,



his bail prayer stands rejected.

(Shailendra Singh, J)

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