

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42259 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- ARA NAGAR District- Bhojpur

MD. SHANWAZ ALAM @ MD. SAHNAWAJ ALAM @ MD. SAHNAWAJ
SON OF MD. HAROON ANSARI @ HARUN ANSARI RESIDENT OF
MOHALLA -MILKI KHETARI, ARA PS- ARA TOWN ,DISTRICT-
BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Ara Town P.S. Case No. 45 of 2023 instituted for the
offence under Sections 304B/34 of the Indian Penal Code.

3. As per allegation in the FIR, the informant alleged
that her daughter was married with the petitioner in year of 2022
and thereafter, the petitioner along with his family members
subjected her to cruelty due to non-fulfillment of dowry
demand. Ultimately, on 15.1.2023 the informant came to know
that her daughter was murdered by the accused persons.
Thereafter, the present FIR has been lodged.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. The petitioner is husband of the deceased due to which he has falsely been implicated in this case. As a matter of fact, the victim did not want to live or keep any type of relation with the petitioner and she committed suicide herself. The petitioner has got no criminal antecedent and languishing in judicial custody since 28.2.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the death of the informant's daughter was caused within seven year of her marriage. The petitioner is husband of the deceased upon whom the full responsibility to keep his wife well. During course of investigation, some circumstantial evidence has come against the petitioner. Postmortem report annexed with the case diary, corroborates the prosecution case in which cause of death is opined due to mechanical strangulation (smoothly throttling). It is further submitted the witnesses of this case have also supported the prosecution.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



7. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

