

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44600 of 2023

Arising Out of PS. Case No.-551 Year-2021 Thana- NARPATGANJ District- Araria

MD. IMTIAZ Son of Md. Islam @ Islam Resident of Village - Tamganj Farhi,
P.S.- Narpatganj, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Adv.

For the Opposite Party/s : Ms.Nirmala Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 304B/34 of the Indian Penal Code.

3. The prosecution story, in brief, is that the informant's deceased daughter got married with the petitioner on 22.12.2019 in accordance with Muslim customs. After some days of marriage, all the accused persons including the petitioner started tortured upon the informant's daughter for further demand of Bullet motorcycle and Rs. 2 lacs as dowry. It is further alleged due to non-fulfillment of dowry demand, they used to badly assault the informant's daughter and one day they administered poisonous substance due to which the informant's daughter became ill and was brought at Sadar Hospital, Forbesganj in unconscious position from where she was referred to Dr. K.N.



Singh where the deceased died during her treatment.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is husband of the deceased. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is false and concocted. He has no role in the death of the deceased. It is further submitted that mother of the petitioner has been acquitted by the learned Court below on 04.08.2022. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegation levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, as petitioner is husband of the deceased, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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