

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45515 of 2022

Arising Out of PS. Case No.-208 Year-2021 Thana- PIPRA District- East Champaran

Md. Nasim @ Md. Nasim Alam Son Of Abbash Ansari R/O Village-
Hardiyabad, P.S.- Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 21-03-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant as well as learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 304B/34 of the Indian Penal
Code.

According to prosecution case, the petitioner along
with other accused persons have killed the daughter of the
informant due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the petitioner is the husband of the deceased. He further submits that the petitioner has never demanded any dowry from the family members of his wife. He further submits that in fact, the victim has committed suicide herself and it has come during investigation in paragraph nos. 25 and 98 of the case diary that due to some dispute, the victim has committed suicide herself. He further submits that the postmortem report also suggests that the death was caused due to hanging and no external injuries were found on the body of the deceased. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.05.2022.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Pipra P.S. Case No. 208 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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