

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50038 of 2022

Arising Out of PS. Case No.-995 Year-2020 Thana- DEHRI TOWN District- Rohtas

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1. Md. Imtyaz Alam @ Md. Imtiyaz S/o Md. Salimuddin
 2. Md. Sadab Alam @ Md. Shadab Ahmad S/o Imtiyaz Alam

Both are R/o village- New Area Patel Gali, Ward No. 17, P.S.- Dehri (T),
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners apprehend their arrest in connection
with Dehri (T) P.S. Case No.995 of 2020 instituted under
Sections 304(B)/34 of the IPC.

As per the FIR, the informant's daughter was married
to Md. Imran Alam @ Raja but immediately thereafter she was
tortured for dowry and finally died on 17.12.2020. Accordingly,
the FIR was lodged.

Learned counsel for the petitioners submit that they
are father-in-law (petitioner no.1) and brother-in-law (petitioner



no.2) who were living separately from the couple and had nothing to do with the alleged occurrence. The further submission is that they do not have criminal antecedent. The last submission is that in view of the unfortunate death of his wife the accused Md. Imran Alam @ Raja was disturbed which delayed his coming into judicial custody and he himself intends to surrender before the concerned court within two weeks from today.

Learned APP on the other hand opposes the prayer for anticipatory bail stating that within a month of marriage, the lady died and the petitioners cannot escape from the responsibility.

Taking into account the fact that the petitioner no.1 is the father-in-law and petitioner no.2 is brother-in-law, according to them they were living separately and as per their own submission, the husband will be surrendering within two weeks from today, they do not have criminal antecedent, this Court is inclined to grant them relief.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two



sureties of the like amount each in connection with Dehri (T)
P.S. Case No.995 of 2020 to the satisfaction of learned Chief
Judicial Magistrate, Rohtas at Sasaram, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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