

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51395 of 2022

Arising Out of PS. Case No.-358 Year-2022 Thana- MADHAURAH District- Saran

Mumtaj Ansari Son of Ish Mohammad Resident of Village - Sharda Rai Tola,
Naharpur, P.S.- Madhaura, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fahima Khatoon Wife of Babar Hussain Resident of village - Vishnupura,
P.S.- Chapra Muffasil, District - Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-02-2023 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 304(B), 302/34 of the Indian
Penal Code.

According to prosecution case, the petitioner has
committed murder of the daughter of the informant (petitioner's
wife) with knife on the instruction of his mother, father and
sister 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 and there is direct allegation against the petitioner. He further submits that the doctor has found 8 injuries on the body of the deceased. He further submits that the police after investigation submitted the charge sheet against the petitioner under Section 302 of the Indian Penal Code. The petitioner is in custody since 04.06.2022.

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 and submits that at the time of the death of the deceased, she was carrying two months old male fetus.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Madhaura P.S. Case No. 358 of 2022 pending in the court of learned Judicial Magistrate, Saran at Chapra.

Prayer is refused.

(Rajesh Kumar Verma, J)

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