

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58693 of 2023

Arising Out of PS. Case No.-570 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Md. Saddam, Son Of Md. Quamuddin Village- Suja, Ward No. 10, P.S.-
Begusarai Mufassil, Dist- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Begusarai Muffasil P.S. Case No. 570 of 2021, lodged on
04.11.2021 under Sections 304(B), 34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 5 named accused persons including the present
petitioner who is the husband of the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He also
submits that it is not the case of dowry death, rather it is a case
of suicide which the alleged victim has caused due to her
personal reasons which is absolutely not related with the



petitioner. Counsel further submits that vide order dated 01.09.2023, case diary as well as post-mortem report has been called for. Counsel also submits that paragraph 40, 41 and 42 of the case diary are very relevant in which it has been mentioned that the victim had affair with a male with whom she was in continuous contact on her mobile and due to which the dispute always used to takes place between the petitioner and his wife.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 04.11.2021.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that upon perusal of the case diary, it transpires that, it has come by the evidence of independent witness that the deceased was in love with a boy due to which the dispute used to take place between the petitioner and his wife and due to which on 03.11.2021, petitioner's wife committed suicide.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1,



Begusarai in connection with Begusarai Muffasil P.S. Case No. 570 of 2021, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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