

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64925 of 2022

Arising Out of PS. Case No.-212 Year-2021 Thana- ARARIA District- Araria

MD. ASIM @ MD. ASIF @ ASIM Son of Md. Asfaque Alam @ Md. Asfarul
Resident of village - Gaiyari, Ward No.- 6, P.S.- Araria, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
29.07.2021, in connection with Araria P.S. Case No.212/2021,
F.I.R. dated 03.03.2021, registered for the offences punishable
under Sections 326, 304B and 34 of the Indian Penal Code.

According to prosecution case, there is allegation
against the petitioner that he along with other co-accused
persons killed the deceased by pouring petrol due to non-
fulfillment of the 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
allegation against the petitioner as alleged in the F.I.R. is false



and fabricated and there is no demand of dowry and there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that the deceased sustained burn injury while she was cooking meal in the kitchen.

The learned Additional Public Prosecutor for the State on the other hand on the basis of material available on record and the case diary has vehemently opposed the prayer for bail of the petitioner and submits that during investigation as well as it has come in inquest report that the petitioner poured petrol on the deceased.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Araria P.S. Case No.212/2021, pending in the court of learned Chief Judicial Magistrate, Araria.

Prayer is refused.

(Rajesh Kumar Verma, J)

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