

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65433 of 2022**

Arising Out of PS. Case No.-637 Year-2021 Thana- PURNEA SADAR District- Purnia

MD. JAHANGIR @ MD. JAHANGIR ALAM Son of Abdul Rahman  
Resident of village - Lokwa ghat @ Lawaghat (Ramghat), P.S.- Mufassil  
(Ranipatra), District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bipin Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      07-04-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in connection with Sadar  
(Muffassil) P.S. Case No. 637 of 2021 registered for the offence  
under Sections 341, 323, 304(B)/34 of the Indian Penal Code and  
Section 3/4 of Dowry Prohibition Act.

The daughter of the informant is stated to have been  
killed by the petitioner and others by setting her on fire on  
account of non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioner submits  
that the petitioner, who is of clean antecedent, is innocent and  
has falsely been implicated in this case. He further submits that  
date of occurrence is 16.11.2021 and the F.I.R. has been lodged  
on 27.11.2021 after lapse of eleven days without explaining the



plausible delay. He further submits that the victim herself has tried to commit suicide by sprinkling kerosene oil over her body, however, as a matter of fact the petitioner himself brought the victim to the Appolo Burns Hospital, Patna where she died during course of treatment. He further submits that the police after investigation has found the case to be under Section 306 of the Indian Penal Code. The petitioner is rotting in judicial custody since 25.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the period of custody, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Sessions Trial No. 145 of 2022 arising out of Sadar (Muffasil) P.S. Case No. 637 of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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