

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8346 of 2024

Arising Out of PS. Case No.-490 Year-2022 Thana- RAXAUL District- East Champaran

Abbas Ansari S/o Wakil Ansari R/o Tumaria Toal, Ward No. - 4, P.S. -
Raxoul, Dist. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satyendra Kumar Jha Mr. Kumar Shubham
For the Opposite Party/s	:	Mr.Kumar Ranjit Ranjan
For the Informant	:	Mr. Abhishek Kumar Mr. Hemant Ray

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 14-05-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has prayed for bail in connection with
Raxaul (Haraiya O.P.) P.S. Case No. 490 of 2022 instituted for
the offence under Sections 304(B) and 34 of the Indian Penal
Code and Section 3/4 of Dowry Prohibition Act.

It is case of dowry death of the informant's daughter
by the petitioner along with his family members due to non-
fulfillment of dowry demand of Rs. 2 lacs along with a
motorcycle.

It is submitted by learned counsel for the petitioner
that petitioner that petitioner is innocent and he has committed



no offence. Petitioner is husband of the deceased due to which he has falsely been implicated in this case. No any specific overt act has been attributed against him. Postmortem report also does not corroborate with the prosecution version and from perusal of the postmortem report, the death of the deceased is due to asphyxia leading to hanging. Moreover, the petitioner is languishing in judicial custody since 04.05.2023.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that petitioner is named in FIR and he is responsible for this offence and deceased was his wife. Petitioner used to torture and demand dowry from the informant's daughter for which earlier, the case was lodged against the petitioner under Sections 341, 323, 498(A), 504 and 34 of the IPC and 3/4 of the Dowry Prohibition Act. During investigation, witnesses supported the prosecution case. Charge sheet has been submitted against the petitioner.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and



conclude the same within a period of six months failing which
the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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