

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14522 of 2024

Arising Out of PS. Case No.-88 Year-2023 Thana- ANGARGHAT District- Samastipur

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Md. Asgar Ali @ Asgar Ali, S/o Sahdub @ Md. Sahdul Miyan, R/o Village-
Rampur Samthy, Ward No.9, P.S.- Angarghat, District- Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Kumar, Advocate
		Mr. Amar Kumar Singh, Advocate
For the State	:	Dr. Ajeet Kumar, APP
For the Informant	:	Mr. Dilip Kumar Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 324-04-2024
1.

Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.
2.

The petitioner has preferred this application for grant of regular bail in connection with Angarghat P.S. Case no. 88 of 2023 registered under sections 302 and 120B of the Indian Penal Code.
3.

As per the prosecution case, the informant states that his daughter who was married to the petitioner herein was tortured for non-fulfillment of the demand of dowry by way of Rs.2 lacs etc. and was also assaulted by the accused persons including the petitioner herein who happens to be her husband.



The petitioner was having an affair with his *bhabhi*. It was as a result of conspiracy of the accused persons that she was killed by hanging.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason of his being the husband of the deceased. The allegations against the petitioner are false and concocted. Admittedly, there is no eye witness to the occurrence. Even as per the tower location of the mobile phone of the petitioner, the petitioner was far away from the place of occurrence in the State of West Bengal as he is a professional truck driver. There is an unexplained delay of three days in lodging of the FIR. He is in custody since 29.11.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the period of custody and the petitioner being the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



7. Liberty is granted to the petitioner to renew his prayer for bail after six months or after framing of charge, whichever is later.

(Partha Sarthy, J)

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