

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23114 of 2024

Arising Out of PS. Case No.-196 Year-2022 Thana- MOTIPUR District- Muzaffarpur

Sajjad Alam @ Sahjad Alam S/o Md. Wahid Ansari R/o Vill - Rasulpur, P.S. -
Motipur, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyotsna Rani Mishra

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304(B) and 34 of the Indian Penal Code.

3. It is a case of dowry death of the informant's daughter by the accused persons due to non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Petitioner is husband of the deceased due to which he has falsely been implicated in this case. From perusal of the prosecution case, informant's daughter died on 15.05.2022 and at that time, petitioner was not present there rather he was in Dubai for his



livelihood since 01.10.2021 and in support of this, supplementary affidavit has been filed on behalf of the petitioner which is xerox copy of Visa/Passport and flight's ticket of the petitioner. From perusal of the postmortem report, the cause of the death of the deceased is due to asphyxia as a result of strangulation. No any direct and consistent evidence has come against the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 17.08.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Motipur P.S. Case No. 196 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IInd, Muzaffarpur with a condition:-

(i) Without prior permission of the Court, petitioner is



not allowed to leave this Country.

(Sunil Kumar Panwar, J)

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