

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23708 of 2024

Arising Out of PS. Case No.-670 Year-2023 Thana- FORBESGANJ District- Araria

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PRAHLAD BAHARDAR SON OF KRIPANAND BAHARDAR RESIDENT
OF VILLAGE - GHORAGHAT, WARD NO.1, P.S. - FORBESGANJ,
DISTRICT - ARARIA (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Forbesganj P.S. Case no.670 of 2023, registered under sections 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the 13 named accused persons including the petitioner herein tortured his daughter for non-fulfillment of demand of dowry which was by way of a motorcycle and a gold chain. She was ultimately strangled to death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He does not happen to be related to the husband of the deceased in any manner and is only a co-villager. Having played an active role in getting the daughter of the informant married in his village as they were



having a love affair has led to the informant's falsely implicating him. The husband of the deceased is in custody and the petitioner is in custody since 18.8.2023. Charge-sheet has been submitted in the case. He has no criminal antecedent. It is submitted that admittedly there is no eyewitness to the occurrence.

5. The application for bail is opposed by learned APP for the State who submits that besides being named in the FIR, there is direct allegation against the petitioner that he along with her husband, strangled the deceased with the help of a rope. It is further submitted that postmortem report supports the allegation as the cause of death is said to be asphyxia due to strangulation.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner, 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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