

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25643 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- ADAPUR District- East Champaran

Abbas Miya, Son of Nasru Miya, R/o Barwa, P.S.- Adapur, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 13-06-2024 1. Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.
2. The petitioner seeks bail in connection with Adapur P.S. Case No.41 of 2024 registered for the offence under Sections 302, 498A, 120B, 34 of the Indian Penal Code.
3. The petitioner named in the F.I.R. and is in custody since 05.02.2024.



4. The allegation against the petitioner is to commit murder of daughter of informant alongwith co-accused persons/family members due to non-fulfillment of demand of dowry as raised for cash of Rs. 50,000/- soon before the occurrence.

5. Learned counsel appearing on behalf of the petitioner submitted that the thrust of allegation is available against husband of the deceased, where the marriage in issue was solemnized in year 2012 itself i.e. before 12 years of the occurrence. It is further submitted that from perusal of postmortem report, it appears that no external injury was noticed upon the body of deceased, suggesting that soon before the occurrence, she was not subjected to physical cruelty. It is further submitted that as per inquest report, it appears *prima facie* that death is suspected out of consumption of poison like substance, suggesting death out of suicide. While concluding the argument, it is submitted that petitioner is father-in-law, who is living



separately and having no connection with the daily and domestic affairs with deceased and her husband. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, and as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as thrust of allegation is available against the husband of the deceased, who is in jail, where the petitioner is father-in-law claimed to be living separately coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 05.02.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Adapur P.S. Case No. 41 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Raxaul at



Motihari, subject to the conditions as mentioned under
Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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