

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29327 of 2024

Arising Out of PS. Case No.-122 Year-2023 Thana- BHAWANIPUR District- Purnia

Md. Jalal, Male, aged about 29 years, son of Late Rahim, resident of Village-
Bhurkunda, PS- Bhawaipur, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

5 04-10-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Bhawanipur PS Case No.122 of 2023 dated 18.05.2023,
instituted under Sections 498-A, 304-B/34 of the Indian Penal
Code.

3. The allegation against the petitioner and others is
that they have killed the sister of the informant due to non-
fulfillment of demand of dowry. Petitioner is the husband of the
deceased.

4. Learned counsel for the petitioner submits that
during investigation it has come that the petitioner was not
present in India at the time of alleged occurrence. Learned
counsel further submits that a second supplementary affidavit



has been filed on 27.09.2024 enclosing the Xerox copy of the passport of the petitioner which was issued on 18.09.2017 and its expiry date is 17.09.2027. It is further submitted that Visa to the petitioner for United Arab Emirates was issued 01.06.2024. The date of occurrence as alleged is 17.05.2023. The petitioner departed from India on 9th February, 2021 and reached United Arab Emirates on the same day which will appear from the stamp of Immigration Department on the passport of the petitioner. It is further submitted that the petitioner returned from United Arab Emirates on 20.06.2024, which is also apparent from the stamp of the Immigration Department, India. Thus, it is crystal clear that the petitioner was not present in India at the time of alleged occurrence. The petitioner has clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, in Bhawanipur PS Case



No.122 of 2023, subject to the conditions laid down in Section
438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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