

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33109 of 2024

Arising Out of PS. Case No.-329 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Md. Irfan S/o Md. Rahim RESIDENT OF VILLAGE DIGHIYA WARD NO 2
PS AND DISTRICT SAHARSA

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Raj Kishor Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Saharsa Sadar P.S. Case No. 329 of 2023 dated 29.05.2023 registered for the offences punishable under sections 302, 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and other co-accused persons are alleged to have tortured and killed the informant's Nanad due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the husband of the deceased and the petitioner never demanded any dowry nor tortured the deceased.



The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.06.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that as per the postmortem report of the deceased, the cause of death is asphyxia due to strangulation.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Saharsa Sadar P.S. Case No. 329 of 2023, with a condition:

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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