

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41139 of 2024

Arising Out of PS. Case No.-55 Year-2023 Thana- SUHAIL District- Gaya

Najim Miyan Son of Aajim Miyan R/O Vill.- Pokhari, Tara Nagar, P.S.-
Sohail, Dist.- Gaya, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 26-09-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Suhail P.S. Case No. 55 of 2023 for the offences
punishable under Sections 306/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he
along with other accused persons tortured the informant's
daughter physically and mentally for non-fulfillment of demand
of Rs. 3 lakhs as dowry, due to which, informant's daughter
depressed and committed suicide.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that admittedly, the marriage
of the petitioner was solemnized with the deceased 11 years



prior to the occurrence. So the allegation of demand of a dowry is prima facie false. The couple had two sons and the independent witnesses in paragraph nos. 47 and 48 have stated that the petitioner was not present at his house when his wife (the deceased) had committed suicide. At that time, the petitioner was offering *Namaj* in Mosque. These witnesses have also stated that the couple were quarreling used to quarrel on trivial issues. The petitioner is a person of clean antecedent and is under custody since 29.12.2023.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghati, Gaya in connection with Suhail P.S. Case No. 55 of 2023, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

Nirmal/-

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