

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47537 of 2024

Arising Out of PS. Case No.-995 Year-2020 Thana- DEHRI TOWN District- Rohtas

Md. Imran Alam @ Md. Imran Ahmad @ Raja S/o Md. Imtiyaz Alam R/o
Village-New Area Patel Gali, Ward No. 17, P.S.- Dehari (Town), District-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ojaswee Kumari, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 22-11-2024 Heard Ms. Ojaswee Kumari, learned counsel for the

petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner seeks regular bail, who is in custody
in connection with Dehari P.S. Case No. 995 of 2020 registered
for the offence punishable under Section 304B/34 of the Indian
Penal Code.

3. Based upon the written report, the prosecution
alleges that the marriage of the daughter of the informant was
solemnized with the petitioner as per the Muslim rites and
rituals. Soon after the marriage, the victim was subjected to
demand of dowry and on account of non-fulfillment of the
same, she was tortured by various ways and finally done to



death by the petitioner and his family members.

4. There is total denial of the allegation levelled against the petitioner.

5. Learned counsel for the petitioner contended that omnibus nature of allegation has been levelled against all the family members. During the course of investigation, statement of the independent witnesses were recorded by the Investigating Officer and they have consistently stated that, in fact, on account of a trifle, the deceased committed suicide by locking her room from inside. On account of the aforesaid fact, when the family members of the petitioner came to know, they raised hulla and thereafter all the family members assembled there and after breaking the door of the room, her dead body was brought outside. The postmortem report does not suggest any mark of violence over the body of the deceased, barring the ligature mark over the neck of the deceased. The cause of death is said to be may be asphyxia due to strangulation. It is also the contention of the petitioner that soon after the occurrence, the family members of the deceased were informed, whereupon they rushed to her matrimonial home but subsequently on the instigation of some unscrupulous persons, the present FIR has been instituted. However, realizing the fact that the deceased



had committed suicide, later on, they filed an application before the jurisdictional Court showing intention not to proceed in the matter.

6. On the other hand, learned counsel for the State opposed the bail application and submitted that the death has taken place just within two months of the marriage and there is specific allegation against all the family members that they pestered the deceased over demand of dowry. The postmortem report also suggests that it may be a cause of strangulation.

7. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is the husband of the deceased, this Court is not acceded to his prayer for grant of bail. Accordingly, his prayer is rejected.

8. However, the petitioner is at liberty to renew his prayer for bail after framing of charge.

(Harish Kumar, J)

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