

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.42528 of 2023**

Arising Out of PS. Case No.-42 Year-2023 Thana- AURANGABAD TOWN District-  
Aurangabad

Md. Saud Ansari, Male, aged about 25 years, Son of Basiruddin Ansari,  
Resident of Village-Obra, P.S.- Gadhwa Town, District- Gadhwa (Jharkhand),  
at present R/o Mohalla-Alinagar, Ward No.- 13, P.S.- Town, District-  
Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

|                     |   |                                                                                                       |
|---------------------|---|-------------------------------------------------------------------------------------------------------|
| <b>Appearance :</b> |   |                                                                                                       |
| For the Petitioner  | : | Mr. N.K. Agarwal, Senior Advocate, Mr. Amrendra Kumar Singh, Advocate and Mr. Kumar Rajdev, Advocates |
| For the Informant   | : | M/S. Lal Bahadur Singh, Dhaneshwar Prasad Gupta and Mr. Ashok Kumar, Advocates                        |
| For the State       | : | Mr. Anant Kumar 1, A.P.P.                                                                             |

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

ORAL ORDER

5      01-05-2024                      Heard learned senior counsel for the petitioner, learned  
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Aurangabad (Town) P.S. Case No. 42 of 2023 dated 15.01.2023  
registered for the offences punishable under Sections 304B/34  
of the I.P.C. and Section 3/4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the  
co-accused persons are alleged to have murdered the  
informant's daughter due to non-fulfilment of demand of a four  
wheeler vehicle as dowry.



4. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has not tortured the informant's daughter. It is further submitted that the marriage of the deceased with the petitioner was contracted by her parents against her will and she did not want to lead conjugal life with the petitioner and under pressure of her parents she was leading her conjugal life with the petitioner and due to that reason she committed suicide. The petitioner has much love and affection for his wife and they are living in a rented flat in Aurangabad where no family members of the petitioner resides and during investigation, police has also found that the deceased after marriage got partitioned in the sasural family and was living with her husband in Aurangabad in a rented house where she died. It is further submitted that from perusal of the case diary, it appears that no any independent witness has come forward to support the prosecution case and the postmortem report also shows that no other external injury was found on any part of the body of the deceased. There is general and omnibus allegation against the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 16.01.2023.



5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

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 Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S. Case No. 42 of 2023 with further 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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