

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46568 of 2024

Arising Out of PS. Case No.-406 Year-2019 Thana- MANIHARI District- Katihar

Md. Gulfaraj Alam SON OF MD. HAINUL ALAM @ HAIYUL ALAM
VILLAGE- BARI KODARNANNA, PS- MUFFSIL, DIST- SAHEBGANJ
AT P/A- MANIHARI, WARD NO. 8, PS- MANIHARI, DIST- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-08-2024 1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. This application, for grant of regular bail, arises out of Manihari Police Station Case No. 406 of 2019, disclosing offences under Sections 304(B), 34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleges that his daughter was married to the petitioner about three years ago and with the said marriage, they have got one child aged about two years. After sometime of the marriage, the petitioner along with his parents used to torture the informant's daughter for dowry and used to threaten the informant's daughter that if cash of Rs. 2 lacs is not paid to them then his daughter would be killed. On 11.10.2019, at about 04:00 pm, the informant got an



information that his daughter has been killed by setting her ablaze and she is admitted in Sub-Divisional Hospital, Manihari. The informant rushed to the said hospital after getting the information and when he reached there, he came to know that his daughter is dead.

4. Learned counsel for the petitioner submits that the petitioner is the husband of the deceased and has falsely been implicated in the present case due to village politics and there was no demand of dowry. He next submits that there is no eye-witness to the occurrence and there is no specific allegation against the petitioner. He further submits that informant's daughter, while cooking, caught fire in her cloths and due to that, she sustained severe burn injuries and the same was conveyed to the informant immediately. When the petitioner came to know about the incident, he immediately rushed her to the Sub-Divisional Hospital, Manihari, where she was being treated. He further submits that after the death of the deceased, the informant started pressurizing the petitioner and his parents to pay something and on their refusal, this false case has been instituted against the petitioner.

6. Regards being had to the submissions made by the parties and taking into consideration the gravity of offence and



the fact that within three years of marriage, informant’s daughter met with an unnatural death in her matrimonial home with burn injuries, the nature of death, whether it is accidental, suicidal or homicidal, is not important in view of the allegation made in F.I.R., accordingly, I am not inclined to grant regular bail to the petitioner.

7. This application stands rejected.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

