

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47614 of 2023

Arising Out of PS. Case No.-395 Year-2022 Thana- SARAI District- Vaishali

MD. NOOR ALAM @ NOOR ALAM S/o Late Abdul Qader R/o Village-
Majholi Mahammadpur Buzurg, P.S.-Sarai, District-Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Md. Harun Quareshi, Adv.
For the Opposite Party/s :	Mr.Md. Mushtaque Alam, APP.
	Mr. Hemant Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 09-01-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 304(B), 34 of the Indian Penal Code.

3. All the F.I.R. named accused persons including this petitioner, on non-fulfillment of demand of dowry, in furtherance of the common intention are said to have committed murder of the daughter of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. Petitioner is husband of the deceased. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that the petitioner lives in Gujarat for his livelihood and he was not



present at the place of occurrence on the alleged date and it is also evident from boarding pass of Indigo, which is annexed at Annexure 4. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the petitioner was not present at the place of occurrence when the alleged incident took place, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Sarai P.S. Case No. 395 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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