

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50441 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- RAXAUL District- East Champaran

Jahangir Alam Son Of Kalim Akhtar Village- Chanradiya, Ps- Harsidhi, Dist-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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

ORAL ORDER

2 05-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Raxaul P.S. Case No. 44/2024 dated 17.02.2024 registered for the offence punishable u/s 304B read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the informant's daughter by hanging due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner who is husband of the deceased. The petitioner neither



demanded any dowry nor tortured the deceased. Learned counsel has submitted that as per paragraph nos. 3 and 9 of the case diary, it was found that door and window of the room of the house of the deceased was closed from inside and the door was opened in the presence of learned Magistrate and villagers. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that in paragraph 21 of the case diary, the post-mortem report of the deceased is mentioned, where the cause of death is Asphyxia due to hanging. The petitioner is the husband of the deceased.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Raxaul P.S. Case No. 44/2024 pending in the court of learned Sub-Divisional Judicial Magistrate, Raxaul, Motihari, East Champaran.

7. This application stands rejected.

(Chandra Prakash Singh, J)

atul/-

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

