

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55657 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- JAMHOR District- Aurangabad

Md. Mahmood Ansari @ Md. Mahmood Alam Md. Islam @ Md. Islam
Ansari R/V- Koshadihra, Ahmad Nagar, P.S.- Jamhor, Distt.- Aurangabad,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate

For the State : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 02-12-2024 Heard Ms. Rupa Kumari, learned counsel for the

petitioner and Mr. Vinod Shanker Modi, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jamhore P.S. Case No. 12 of 2024, F.I.R. dated 06.02.2024 for the offences punishable under Sections 306 and 34 of the Indian Penal Code.

3. According to prosecution case, sister of the informant was being harassed and subjected to cruelty at the hands of her husband and his family members for demand of dowry and on non-fulfillment of the same they killed her.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR in fact the marriage of the petitioner was performed with the victim in the year 2012 and between 2012 to 2024 there was no complaint against the petitioner. He further submits that from a bare perusal of the post-mortem report it appears that victim has committed suicide herself. He further submits that police after investigation submitted the charge-sheet against the petitioner under Section 306 and 34 of the Indian Penal Code.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that petitioner is husband of the deceased and apart from that number of witnesses have suggested that the petitioner and his family members are involved in the present crime in question.

6. Considering the aforesaid facts as well as post-mortem report of the victim, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned A.C.J.M., VII, Aurangabad, Bihar in connection with Jamhore P.S. Case No. 12 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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