

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52083 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- AMARPUR District- Banka

MD. FIRDAUSH @ FIRDOS @ MD. FIRDOS Son of Md. Ansul @ Ansul
Resident of village - Shobhanpur Katoria, P.S. - Amarpur, Distt. - Banka
... .. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Amarpur P.S. Case no. 224 of 2022 instituted for the offence under Sections 304(B)/34 of Indian Penal Code.

3. As per allegation in the FIR, the petitioner and others killed the informant's grand daughter due to non-fulfillment of dowry demand and hanged her dead body from the ceiling fan hook.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. The petitioner is husband of the deceased due to which he has falsely been implicated in this case. It is also submitted vide para 11 of the petition that the petitioner performed love marriage with the



deceased and went to Bangalore to earn his livelihood but the deceased put pressure on him to take her along with him and suddenly, in a head of passion and spur of movement, she committed suicide by hanging by closing the door from inside. The petitioner has got no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of anticipatory bail and submitted that the petitioner is husband of the deceased whose death was caused within seven year of her marriage. The petitioner is husband of the deceased upon whom the full responsibility to keep his wife well. According to postmortem report, the doctor opined the cause of death as Asphyxia as a result of hanging. It is further submitted that the witnesses of the case have supported the prosecution during investigation.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on anticipatory bail and, as such, his prayer for bail stands rejected.

7. The petitioner is directed to surrender before court below and pray for regular bail.

(Sunil Kumar Panwar, J)

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