

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64513 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- HABIBPUR District- Bhagalpur

Md. Mehtab Ansari @ Md. Mahtab Ansari S/o Md. Rauf Ansari @ Rauf
Ansari Resident Of Borgaon, Ward No 3, Ps -Sajour, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 19-11-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with S.T.
No. 370 of 2024 arising out of Habibpur P.S. Case No. 170 of
2023 instituted for the offence under Sections 304(B) & 302 of
the Indian Penal Code and Section 4 of the Dowry Prohibition
Act.

3. Prosecution case in short is that niece of the
informant was done to death by her husband over a quarrel.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 12-11-2023. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is the husband of the deceased. Marriage between the petitioner and the deceased was admittedly a love marriage. There is no eye witness to the occurrence and petitioner has become the victim of the circumstances.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner in his confessional statement has confessed his guilt. It is further submitted that cause of death is asphyxia and shock due to ante-mortem ligature strangulation and the same is corroborated with the allegation levelled against the petitioner.

7. Considering the aforesaid facts and circumstances of the case and there being direct allegation against the petitioner which fact is corroborated with the materials available in the case diary, this Court is not inclined to grant bail to the petitioner. Prayer is accordingly *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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