

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68294 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- DUMRAO District- Buxar

Md. Aziz @ Aziz Ansari Son of Haidar Ali @ Haidar Ansari Resident of
Village - Kadvi, P.O. and P.S. - Dumraon, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar Pradhan, Adv.
For the informant	:	Mr. Manendra Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 13-12-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dumraon P.S. Case No. 23 of 2024 dated 02.02.2024 registered for the offences punishable under sections 304B/498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, the petitioner and other co-accused persons are alleged to have tortured and killed the daughter of the informant due to non-fulfillment of demand of motorcycle as dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner is the husband of the deceased and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the deceased. The name of the petitioner has transpired in this case on the basis of mere suspicion. The petitioner has one criminal antecedent in which he is acquitted as stated in para 3 of the bail petition. The petitioner is in custody since 01.07.2024.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner and submitted that the petitioner is the husband of the deceased and the specific allegation against the petitioner who harassed, tortured and assaulted the informant's sister due to non-fulfillment of demand of dowry and allegedly killed her along with the other co-accused persons. The post-mortem report of the deceased is mentioned in para no. 45 of the case diary that the doctor opined the cause of death : cardio-pulmonary failure due to Asphyxia following hanging. The statement of the witnesses have been recorded in para nos. 4 (re-statement of informant), 8, 9, 16, 25, 26, 27 and 28 of the case diary who have supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named



on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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