

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70946 of 2024

Arising Out of PS. Case No.-296 Year-2023 Thana- ADAPUR District- East Champaran

Samsul Miya Son of Late Mahbali Miya Resident of Village- Badaiya Tola,
P.S- Aadapur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Adapur P.S. Case No. 296 of 2023 dated 01.10.2023, instituted for the offence punishable under Sections 304B, 34 of the Indian Penal Code.

3. The prosecution story, in short, is that, the marriage of informant's daughter was solemnized with Dilshad Alam. After some months of the marriage, the accused including the petitioner started demanding dowry and started torturing her for non-fulfillment of their demand. After 30.09.2023, the informant could not talk to her daughter so, she along with other accused persons reached at her matrimonial house where she found her daughter lying dead. The informant apprehended that



all the accused persons including the petitioner has committed murder of her daughter by wrapping rope around her neck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the father in-law of the deceased. It is next submitted that the petitioner never tortured the deceased for dowry. Learned counsel further submitted that petitioner has no interference in day to day affairs of the deceased and her husband. There is no specific allegation against the petitioner, rather, the allegation is general and omnibus in nature. It is further stated that there is no eye witness to the alleged occurrence. It is further submitted that there was some dispute between the deceased and her husband due to which the daughter of the informant committed suicide. Petitioner has no role in the instigation of the said suicide. It is further submitted that similarly situated co-accused namely, Sayra Khatoon and Seraj Miya have been granted bail vide order dated 26.06.2024 passed by this Court in Criminal Miscellaneous No. 35989 of 2024. Lastly, it has been submitted that the petitioner is in custody since 23.04.2024, having no criminal antecedents and charge-sheet has been submitted in the case.



5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 10, East Champaran, Motihari in Adapur P.S. Case No. 296 of 2023.

(Khatim Reza, J)

Sankalp/-

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