

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79113 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- GARHI District- Jamui

Rijwan Ansari @ Mister Son Of Md. Mustakin Mian Village- Arunmabank
Ps- Garhi Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
	:	Ms. Priyanka Singh, Advocate
For the State	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Prabhat Ranjan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 10-04-2024 Heard Mr. Y. C. Verma, learned senior counsel for

the petitioner and Mr. Prabhat Ranjan Singh, learned counsel for

the informant as well as Mr. Upendra Kumar, learned A.P.P. for

the State.

2. The petitioner seeks bail in connection with Garhi
P.S. Case No. 09 of 2023, FIR dated 13.02.2023 registered for
the offence under Sections 304(B) and 34 of the Indian Penal
Code.

3. On non-fulfillment of the demand of dowry, the
petitioner along with others is alleged to have killed the
daughter of the informant by strangulation.

4. Learned senior counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case merely on



the basis that the petitioner is husband of the deceased. He further submits that from a bare perusal of the FIR it appears that the date of the occurrence is not mentioned in the FIR and the inquest report was prepared on 12.12.2023 at 5 P.M. and the on the same day the post-mortem was conducted on 12.02.2023 at 10:10 P.M and then the FIR was registered on 13.02.2023 at 8 A.M. without explaining the reason for delay. He further submits that it appears that before the lodging of the present FIR all the formalities have been completed by the prosecution and after well planned manner they have filed the present FIR only to falsely implicate the petitioner in the present case and even the informant has not mentioned in the FIR date and time of the occurrence.

5. Learned counsel for the informant as well as learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that the petitioner has killed the daughter of the informant and the post-mortem report also supported the case of the prosecution.

6. Considering the facts, the FIR instituted after one day inquest report and post-mortem report, let the, above named, petitioner 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 learned J.M. 1st, Jamui in connection with Garhi P.S. Case No. 09 of 2023 with the following conditions:-

(1) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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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