

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78924 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- TARAPUR District- Munger

MD. NAZIR HUSSAIN SON OF MD. HAIDAR ALI @ MD. HAIDAR
RESIDENT OF VILLAGE - NAWADA, PS- SULTANGANJ, DISTT-
BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal , Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under section 304(B) of the Indian Penal
Code and 3/ 4 of the D. P Act.

3 . As per the prosecution case, marriage of the
daughter of the complainant was solemnized with the petitioner
in the year 2017 , and out of wedlock two children were born .
It is further alleged that after some time of marriage, this
petitioner along with other co-accused persons started
demanding dowry and due to non-fulfillment of the same , on



26.03.2022, this petitioner along with other co-accused persons assaulted the daughter of the informant and killed her after pressing her neck .

4. Learned counsel for the petitioner submits that petitioner is husband of the deceased and he has been falsely implicated in this case by the informant in order to extort money from petitioner. F.I.R., has been lodged after delay of one year and there is no explanation for the same . Before death , there was no complaint of harassment or demand of dowry lodged against the petitioner and only after death of the deceased this present false and concocted case has been lodged. The daughter of the informant died during pregnancy in presence of the informant and her relatives. The parents of the deceased along with family members of the petitioner as well as petitioner himself was present at the time of funeral of deceased and in this regard a certificate was also issued by the Sarpanch of Village Nawada. Petitioner claims clean antecedent.

5. However, learned counsel for the State opposed the bail petition of the petitioner and submitted that petitioner is husband of the deceased and he along with other co-accused persons killed the deceased due to non-fulfillment of the dowry . by pressing her neck and as such deceased died in unnatural



circumstances.

6. Considering the aforesaid facts and circumstances
of the case, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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