

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77281 of 2023

Arising Out of PS. Case No.-298 Year-2023 Thana- AKBARPUR District- Nawada

Md. Saddam Hussain S/O Md. Muslim @ Md. Musllm @ Md. Muslim Ansari
R/O Village- Rajhat, P.S- Akbarpur, Distt.- Nawada.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304(B)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per allegation in the FIR, the informant alleged that her daughter was married with the petitioner in year of 2023 and thereafter, the petitioner along with his family members subjected her to cruelty due to non-fulfillment of dowry demand. Ultimately, on 22.6.2023 the informant came to that her daughter was murdered by the petitioner along with his family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



petitioner is husband of the deceased due to which he has falsely been implicated in this case. There is no prior complaint against the petitioner regarding demand of dowry or torture the deceased. It is further submitted that as a matter of fact the daughter of the informant is a temperament lady and just after the marriage she herself committed suicide by hanging. No one is eye witness of the occurrence and the petitioner was also not present at the place of occurrence. According to postmortem report, the doctor opined cause of death as Asphyxia due to hanging. The petitioner has got no criminal antecedent as stated in para-3 of the petition and he is languishing in judicial custody since 27.6.2023.

5. In pursuance to the direction of this Court, a report dated 22.5.2024 with regard to stage of trial has been received by which it appears that the charge has not been framed till now.

6. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is husband of the deceased.

7. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the him on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not**



framed in connection with Akbarpur P.S. Case No. 298 of 2023
on furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Nawada.

(Sunil Kumar Panwar, J)

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