

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82645 of 2023

Arising Out of PS. Case No.-213 Year-2021 Thana- KAMTAUL District- Darbhanga

1. Abdul Khalid @ Abdul Khalik S/O Abdul Malik Village- Wajidpur, Ps. Kamtaul, Distt. Darbhanga
2. Md. Taufique @ Tofik S/O Azmat @ Azmatullah @ Md. Asmat R/O Mohalla/Vill- Parsauni, Ps. Bisfi (Patauna O.P), Distt. Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Adv.

For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 19-03-2024 Heard learned counsel for the petitioners, learned
A.P.P. for the State and counsel for the informant.

2. The petitioners seek regular bail in connection with
Kamtaul P.S. Case No.213 of 2021 lodged under Sections 498A,
304B, 120B and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against five named accused persons including the
petitioners against whom there is allegation of demand of dowry
due to which the informant's sister died.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. He
submits that the marriage of the sister of the informant has been



solemnized with the accused persons other than the present petitioners.

5. Counsel further submits that the husband of the deceased is residing in Arab country and not in India whereas the deceased was residing with the family members of her husband. He further submits that petitioner No.1 is the father-in-law and petitioner No.2 is the brother-in-law (nandosi) of the deceased. He submits that father-in-law has nothing to do with the affairs of the family of the deceased.

6. Counsel further submits that petitioners are in custody since 10.08.2023 having clean antecedent and charge-sheet has already been filed in this case.

7. Learned counsel for the informant vehemently opposes the prayer for bail and submits that from the beginning, there was demand of dowry of Rs.5 lacs at the instance of petitioner No.1 and due to non-fulfillment, the continuous torture was used to be made. He submits that it is true that the husband of the deceased is residing in Arab country, but the other family members have create a situation which resulted into death of the deceased and petitioners are fully responsible for the death of the informant's sister.

8. Learned counsel for the State opposes the prayer



for bail.

9. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Therefore, the bail application of the petitioners is hereby rejected.

10. However, trial court is directed to conclude the trial within 9 months from today and liberty is also granted to the petitioners that they may renew their prayer for bail within the said 9 months, in case of non-conclusion of trial,

(Dr. Anshuman, J.)

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