

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80469 of 2023

Arising Out of PS. Case No.-551 Year-2021 Thana- NARPATGANJ District- Araria

Md. Imtiaz S/O Md. Islam @ Islam R/O Village- Toufir Tamganj Farhi Ward
No. 09, P.S- Narpatganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal
		Mr. Mukesh Kumar Rana
For the Opposite Party/s	:	Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-02-2024 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 304B and 34 of the Indian Penal Code.

3. It is a case of dowry death of the informant's daughter by the accused persons due to non-fulfillment of dowry demand.

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. No prior complain in respect of dowry demand, harassment and assault to the deceased. There is



no eye witness of the alleged occurrence and even the informant is not an eye witness of this occurrence. It is further submitted from para-10 of this petition that in postmortem report the deceased, the doctor has not found any external injury on the person of the deceased and viscera preserved for chemical examination. From para-11 of this petition, it is stated that co-accused Bilkis who is mother-in-law of the deceased has been acquitted by the learned Court below due to lack of evidence vide S.T. No. 195 of 2022 on 04.08.2022 and in support of this, order has been annexed in the petitioner at Annexure-P2 of this petition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 19.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that petitioner is name in FIR.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Narpatganj P.S. Case No. 551 of 2021 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, Araria.

(Sunil Kumar Panwar, J)

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