

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86387 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- MAINATAND District- West Champaran

Sadre Alam S/O Hoda Mian R/O Village- Bastha, P.S.- Mainatand, District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abu Nasar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 08-05-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Mainatand P.S. Case No. 104 of 2023 instituted for the offence
under Sections 304B & 34 of the Indian Penal Code.

3. Prosecution case in short is that daughter of the
informant was done to death at her matrimonial house by her in-
laws.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 25-07-2023. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case. Petitioner is the husband of the deceased. It is submitted that there is no eyewitness to the occurrence. It is next submitted that there is no specific demand of dowry was ever made by this petitioner and the petitioner has no role in the alleged occurrence. It is also submitted that deceased was a hypersensitive woman and out of aggression, she committed suicide on trivial issue. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that in paragraph No. 45 of the case diary, cause of death is opined to be death was “due to asphyxia as a result of pressure on neck”.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mainatand P.S.



Case No. 104 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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