

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12997 of 2024**

Arising Out of PS. Case No.-223 Year-2023 Thana- AAJAM NAGAR District- Katihar

Md Zaved Alam @ Md. Zaved Alam @ Md. Javed Alam S/O- Md Mister Alam @ Mistar R/O- Vill- Dhumnagar, Ps- Azamnagar, Dist- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Qumrul Hoda, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

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

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Azamnagar P.S. case No. 223 of 2023 instituted for the offences under Sections 302, 304B, 498A/34 of the Indian Penal Code.

3. Prosecution case, in short, is that the daughter of the informant was married with this petitioner but after one year of marriage, this petitioner tortured her and threatened to solemnize second marriage for not begetting a child. It is further alleged that on 27.06.2023, this petitioner went to Azamnagar Market with his wife, but they did not return home, thereafter,



the informant received information that the dead body of her daughter was lying in a field.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. Learned counsel further submitted that there is no eye-witness to the occurrence. Charge-sheet has been submitted in this case under Section 302, 120B and 498A of the Indian Penal Code. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.06.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted there is specific allegation against this petitioner that he killed the daughter of the informant using sharp edged object. It is further submitted by the learned APP that the post-mortem report of the deceased shows that the cause the of death is due to haemorrhagic shock as a result of injury caused by sharp object which supports the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case, specific allegation, nature and gravity of offence, I am not inclined to grant bail to the petitioner.



7. Prayer is rejected. The petitioner, however, is given liberty to renew his prayer for bail after framing of charge.

(Rudra Prakash Mishra, J)

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