

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3614 of 2024

Arising Out of PS. Case No.-408 Year-2023 Thana- HARSIDHI District- East Champaran

Ekbal Alam Manjur Miya @ Manjur Alam Village- Matiyariya, PS- Harsidhi,
Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Harsidhi P.S. case No. 408 of 2023 instituted for the offences
under Sections 304B, 302, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that the daughter of the
informant was married to the brother of the petitioner. The
deceased was abused and tortured for non-fulfillment of demand
of dowry to the tune of Rs. 2 lacs and was finally done to death.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 26.06.2023 and has no criminal
antecedent. Learned counsel further submits that the petitioner
happens to be the *devar* of the deceased. The petitioner has
falsely been implicated in the present case merely because he



happens to be the brother of the husband of the deceased. It is also submitted that no specific overt act is alleged against this petitioner. Learned counsel further submitted that postmortem report does not support the prosecution case wherein the cause of death is said to be asphyxia due to hanging. Learned counsel further submitted that co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 29.11.2023 passed in Cr. Misc. No. 73732 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail 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 Harsidhi P.S. case No. 408 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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