

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7495 of 2025

Arising Out of PS. Case No.-224 Year-2022 Thana- AMARPUR District- Banka

Md. Firdaush @ Firdosh @ Md. Firdos S/O Md. Ansul @ Ansul R/O Village-
Shobhanpur Katoriya, P.S- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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

ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with S. T.
No. 440 of 2024 arising out of Amarpur P.S. Case No. 224 of
2022 instituted for the offence under Sections 304(B) & 34 of
the Indian Penal Code. Earlier vide order dated 28-06-2024,
passed in Cr. Misc. No. 52083 of 2023, anticipatory bail of the
petitioner was rejected by a Co-ordinate Bench of this Court.

3. Allegation against the petitioner along with others
is that they killed the grand daughter of the informant due to
non-fulfillment of the demand for dowry.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 06-09-2024. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

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. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner, rather allegation is general and omnibus in nature. It is next contended that father-in-law and mother-in-law of the deceased have been enlarged on bail by a Co-ordinate Bench of this Court vide order dated 20-04-2023, passed in Cr. Misc. No. 61802 of 2022. Learned counsel for the petitioner mainly drew the attention of the Court towards the restatement of the informant, wherein, it has been stated that the petitioner was in Bangalore at the time of occurrence. It is lastly submitted that police after completion of investigation has already submitted charge sheet 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 doctor has opined the cause of death due to asphyxia due to hanging.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no



cogent material against the petitioner even in the case diary and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 S. T. No. 440 of 2024 arising out of Amarpur P.S. Case No. 224 of 2022, 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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