

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12649 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- DAGARUA District- Purnia

Azizul Rahman @ Md Azizul S/O Gulam Mustafa R/O Village- Dumra
Dhangama, P.S- Dagaura, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Prawesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Pushpa Sinha, APP
For the Informant	:	Mr. Tarun Kumar Shekhar, Adv.
		Mr. Nishant Kumar Sinha, Adv.
		Mr. Arvind Kumar, Adv.

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

ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.
Perused the case diar.

2. The petitioner seeks bail in connection with
Dagarua P.S. Case No. 165 of 2024 instituted for the offences
under Sections 302, 304B, 34 of the Indian Penal Code.

3. As per prosecution case, the deceased was subjected
to mental and physical cruelty for non-fulfillment of dowry
demand and, ultimately, on 29.05.2024 succumbed to injury
caused by the accused persons including the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case due to family dispute. The petitioner was not arrested on spot and nothing incriminating has been recovered from his conscious possession. The petitioner is the husband of the deceased and has never demanded any dowry from the deceased or her family members. The deceased was a high temper lady and she died due to electrocution. The postmortem report does not corroborate the allegation made in the Complaint. In the entire record of this case, there is not an iota of evidence which shows the complicity of the petitioner in the alleged occurrence. In the F.I.R., there is no description of the manner of participation of the petitioner from any corner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 29.05.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The postmortem report of the deceased shows the cause



of death by ventricular fibrillation caused due to electrocution. He further submits that it appears that the deceased was subjected to physical cruelty before her death. The Investigating Officer, after completion of investigation, has submitted charge-sheet in this case.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

