

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17912 of 2025

Arising Out of PS. Case No.-204 Year-2024 Thana- DUMARIAGHAT District- East
Champaran

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Naeem Miyan, S/O Late Mustkim Miyan @ Mahmmad Mostkim, Resident of
village- Pakadi, (Dumariya) P.S.- Dumariya Ghat, District- East Champaran
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No.81/2025, arising out of Dumariyaghat P.S. Case No. 204 of 2024, registered for the alleged offences under Sections 103 (1)/3/5 of BNS.

3. As per prosecution case, the daughter of the informant was married with co-accused Sahabuddin Miyan. The petitioner is the father of co-accused Sahabuddin Miyan. The allegation against the petitioner and other co-accused persons is of causing dowry death of the daughter of the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The marriage was solemnized in the year 2016 and birth of



three children took place out of this wedlock. It is not believable that after so many years of marriage, the demand of dowry would be made. At the alleged date and time of occurrence, the petitioner was not even present in his house as he was away and was in another place. The learned counsel further submits that there is no direct and specific allegation against the petitioner. During course of investigation not a single witness came forward to support the allegation of the informant. The learned counsel further submits that after completion of investigation, charge sheet has been submitted and there is no likelihood of conclusion of trial in near future. Moreover, the co-accused husband of the deceased is already in custody. The petitioner is in custody since 01.09.2024 and is having clean antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner is the father-in-law of the deceased and he was instrumental in killing the daughter of the informant with the help of others and the death occurred in the matrimonial home of the deceased.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that the petitioner is father-in-law of the deceased and there



is general and non-specific nature of allegation against him and further considering the period of custody of the petitioner and submission of charge sheet along with his clean antecedent, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 19th Additional Sessions Judge, East Champaran at Motihari in connection with Sessions Trial No. 81 of 2025, arising out of Dumariyaghat P.S. Case No. 204/2024, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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