

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31680 of 2025

Arising Out of PS. Case No.-255 Year-2024 Thana- RAGHOPUR District- Supaul

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Md. Ansar Alam S/o- Late Kaleem @ Md. Kalimuddin @ Md. Kalim
Resident of Village- Sarahi, Ward No. 5, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kamal Kishore Singh, Adv. Mr. Amarnath Singh, Adv. Mr. Anil Kumar, Adv.
For the Informant	:	Mr. Amrit Abhijat, Adv.
For the Opposite Party/s	:	Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Heard the learned Advocate for the petitioner, learned
Advocate for the informant and the learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Raghopur P.S. Case No. 255 of 2024,
registered for the offence punishable under Sections 80, 238,
61(2) and 3(5) of the Bharatiya Nyay Sanhita.

3. Based upon the written report, the prosecution
alleges that the marriage of the daughter of the informant was
solemnized with the petitioner on 19.12.2022. At the time of
marriage, sufficient dowry was given to the accused persons,
however, soon thereafter, she was subjected to demand of dowry
and on account of non fulfillment of the same, she was tortured



in various ways. On 08.07.2024, while the elder daughter of the informant went outside the house, in the meanwhile, the petitioner and his mother raised alarm that his daughter (deceased) fell down. Thereupon, she was taken to hospital where the doctor declared her dead. The wife of the informant has noticed that the deceased had a black strangulation mark over her neck.

4. Learned Advocate for the petitioner contended that the alleged occurrence took place on 18.07.2024 and thereafter, burial took place on 19.07.2024 in presence of the mother of the deceased, but no suspicion or any complaint has been made. Surprisingly, after eight days on 27.07.2024, the present FIR came to be lodged based upon which the dead body was dug out and sent for the post-mortem. In fact on account of some trifle, the deceased committed suicide and thereafter, on instigation of some unscrupulous person, the FIR came to be lodged by making frivolous allegations. Identical allegation has been levelled against the mother of the petitioner, who has been extended the privilege of anticipatory bail by a Bench of this Court in Cr. Misc. No. 86490 of 2024 vide order dated 18.12.2024. Now the petitioner has been incarcerated since 18.11.2024, the investigation is complete and the charge-sheet has been submitted.



5. On the other hand, learned APP for the State and the informant vehemently opposed the bail application and submits that the wife of the informant, who was present at the place of occurrence had noticed a black mark over the neck of the deceased and when the entire fact has been brought to the notice of the informant, he instituted the FIR and thereafter, the post-mortem of the dead body was done and the doctor opined that the deceased died on account of asphyxia and shock due to antemortem manual strangulation/throttling. Learned Advocate for the informant further submits that the petitioner is a person, who is facing two criminal antecedent and one of the offence under Section 498A, 379 and 342/34 of the Indian Penal Code instituted by the sister-in-law (*bhabhi*). He also submits that during the course of investigation, the statement of a neighbour was recorded, who claimed herself to be an eyewitness to the alleged occurrence and supported the prosecution case of causing death to the deceased.

6. Having considered the submissions set-forth by learned Advocate for the respective parties and taking note of the materials collected during the course of investigation, especially the statement of the neighbour, coupled with the post-mortem report, this Court is not acceded to the prayer for grant of bail to the petitioner. Accordingly, the prayer for bail of the



petitioner stands rejected, for present.

(Harish Kumar, J)

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