

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33570 of 2025

Arising Out of PS. Case No.-857 Year-2023 Thana- ALAMGANJ District- Patna

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Mohammad Shahid Anwar S/o Mohammad Anwar Usmani @ Anwar Usmani
R/o Mohalla- Alamganj, Agarwal Tola, Opposite Shahi Darbar, P.S.-
Alamganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Alexander Ashok, Advocate
		Mr. Jawed Akhtar, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP
For the Informant	:	Mr. Syed Imran Ghani, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Alamganj P.S. Case No. 857 of 2023 dated 19.09.2023,
instituted for the offence punishable under Sections 304B, 34 of
the Indian Penal Code.

3. The prosecution case, in short, is that informant's
daughter namely Reeda Afrin was married with petitioner,
namely, Mohammad Shahid Anwar. After sometime of
marriage, the petitioner and other co-accused persons demanded
the flat of the informant as dowry which was situated in Patna.
The informant went to the matrimonial house of his daughter
and express his inability to fulfill demand. It is further alleged



that all the accused persons including the petitioner have killed the daughter of informant due to non- fulfillment of demand of flat.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the husband of deceased and is only earning member of the family and for this purpose, he used to reside in Oman where he is employed in a private company. Informant's daughter was unhappy with petitioner because of his working outside India and whenever the petitioner comes to India, she used to raise dispute with petitioner and his mother as well as give threat to commit suicide. It is apparent from the fardbeyan that when informant reached the matrimonial house of his daughter, he saw that his daughter was lying dead and there were injuries on her leg, neck and hand but the postmortem report reveals that the cause of death was Asphyxia due to hanging and apart from ligature mark of hanging, no other injury was present over the body of deceased. Learned counsel submitted that this is a clear case of suicide committed by the daughter of the informant herself and petitioner being husband of the deceased has been falsely implicated in this case. It is next submitted that in para 12 of the



Case Diary, the independent witness has stated that as per his information, wife of the petitioner committed suicide. There is no other independent witness to the alleged occurrence. Lastly, it has been submitted that the petitioner is in custody since 03.12.2024, he has no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is husband of the deceased and it was his responsibility to take her to hospital but he did not do so. It is further submitted that all the accused persons including the petitioner killed the daughter of informant by hanging her.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in Alamganj P.S. Case No. 857 of 2023, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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