

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48787 of 2025

Arising Out of PS. Case No.-374 Year-2024 Thana- SAKRA District- Muzaffarpur

Md Shamim @ Md. Samim, S/o Md. Ibrahim, Resident of village - Faridpur
sakra, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
Mr. Hemant Ray, Advocate
Mr. Sagar Kumar, Advocate
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 04-12-2025 Heard learned counsel for the petitioner and , learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Sakra P.S. Case No. 374 of 2024 registered for the offence
punishable under Sections 80 and 3(5) of the B.N.S.

3. The case of the prosecution is that the daughter of
the informant, namely, Samina Khatoon was married to the
petitioner. It is further alleged that after marriage, she was
subjected to cruelty on account of non-fulfillment of dowry
demand of Rs.5 Lac. It is further alleged that in the meantime,
the deceased was blessed with three daughters out of the
wedlock. On 18.07.2024, the deceased called the informant and
told her that the in-laws are pressing upon her to get examined



the gender of the fetus. On protest, the deceased was threatened to be killed. On 16.07.2024 at 5:30 A.M., the informant received information that her daughter has been killed by her in-laws.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. In this case, the deceased has committed suicide as she was suffering from depression. It has also been submitted that from perusal of the postmortem report it is clear that only on ligature mark was found on the neck of the deceased. As per the case of prosecution, the allegation is that the in-laws have killed the deceased by pressing her neck. If the death would have been caused by pressing the neck, there must be some marks on the person of the deceased which is not there. The doctor has opined that the cause of death is asphyxia due to hanging. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 08.08.2024.

5. Learned APP appearing for the State has vehemently opposed the application for bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Muzaffarpur in connection with Sakra P.S. Case No. 374 of 2024.

(Ashok Kumar Pandey, J)

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