

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51457 of 2025

Arising Out of PS. Case No.-337 Year-2020 Thana- SHIVSAGAR District- Rohtas

Aslam Ansari S/o Lt Nabi Rasul Ansari Resident Of Village Naudiha, P.S.-
Shivsagar, Dist.- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rampravesh Nath Tiwari

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Shivsagar P.S. Case No. 337 of 2020 registered for the offences under Sections 304(B)/34 of the Indian Penal Code.

3. As per prosecution case, the sister of the informant died in her matrimonial home and allegation against the petitioner and other co-accused persons is that they had been torturing her physically and mentally. Earlier sister of the informant used to do a job which she left and for this reason her in-laws were angry with her. Lastly she was killed and hanged.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. Petitioner is the brother of the husband of the deceased and he has been living separately from his brother for last 15 years and had no concern with co-accused brother and his wife, the deceased. Learned counsel further submits that as per the informant, occurrence took place on 16.09.2020 but the FIR has been lodged on 03.11.2020 i.e., after lapse of one month and 15 days and there is no satisfactory explanation for the same. True fact of the case is that the sister of the informant committed suicide on 16.09.2020 and her husband Mustaffa Ansari informed the police regarding the said occurrence for which U.D. Case No. 9 of 2020 dated 16.09.2020 has been registered. Not only the police was informed but also the family members of the deceased including her parents were informed and they participated in the last rites of the deceased. Learned counsel further submits that from the rejection order, it appears that marriage was solemnized in the year 2012 and so there was no application of Section 304(B) of IPC in the present case. Moreover, the allegation against the petitioner is general and omnibus and nothing specific has been alleged against him. Petitioner is in custody since 03.06.2025 and is having clean antecedent.

5. Learned A.P.P. opposes the submission made on



behalf of the petitioner. Learned APP submits that sister of the informant died in her matrimonial home and petitioner is brother-in-law of the deceased.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and doubtful nature of allegation against the petitioner and further considering lodging of earlier U.D. case coupled with delay in lodging the present FIR and also considering distinct lack of material to show the involvement of the petitioner in causing death of the deceased, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned ADJ-13, Sasaram, Rohtas/concerned court in connection with Shivsagar P.S. Case No. 337 of 2020, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other 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)

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