

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73795 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- VALMIKINAGAR District- West
Champaran

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Ismail Ansari S/o Late Bikau Ansari R/o Village- Lakshmipur Chowk, P.S.-
Valmikinagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 21-01-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel

for the petitioner and Mr. Raj Ballabh Singh, learned APP for

the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 304B/34 of
the Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

3. The case of the prosecution is that the daughter of
the informant was married to the petitioner on 26.10.2022. At
the time of marriage, sufficient gifts were provided. After four
months, the daughter of the informant went to her matrimonial
home. She told her father that her husband was demanding a
four wheeler and on account of non-fulfillment of that demand,



she was being subjected to cruelty. It is further alleged that 28.06.2024 at 4:00 P.M., the daughter of the informant called the informant and told her that she is being subjected to cruelty and is being assaulted and that her in-laws saying today she will be killed. On this, the informant tried to contact the petitioner but he could not. After that she rushed to Laxmipur at 7:30 P.M. When he reached the matrimonial house of his daughter, he found that his daughter was laying dead on cot. He also found black spot on his neck.

4. Admittedly, the petitioner is the husband though his case is that the deceased has committed suicide but the post-mortem report is otherwise. From perusal of the post-mortem report, it transpires that the deceased has redness over back more so on left side, both shoulder and both side of neck and diffuse redness over both cheek more on left cheek. There was also a ligature mark on the neck. The cause of death is Asphyxia due to throttling and hemorrhage shock due to chest injury caused by hard and blunt substance. Though there was not only strangulation, she was being assaulted with hard and blunt substance on her chest and has mark of injury on the upper part of the body as well. Since the petitioner is the husband, he has more responsibility to take care of her.



5. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in connection with the present case. During the course of argument, learned counsel has also submitted that Annexure 2 will go to show that the parties have compromised the case. Moreover, the petitioner is languishing in judicial custody since 29.06.2024 having no criminal antecedent.

6. Learned APP appearing for the State has opposed the prayer of regular bail.

7. Be that as it may, considering the above facts and circumstances of the case, I am not inclined to extend him the privilege of bail which is accordingly rejected.

8.. However, the petitioner will be at liberty to renew his prayer for bail, if so advise.

(Ashok Kumar Pandey, J)

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