

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76309 of 2024

Arising Out of PS. Case No.-199 Year-2023 Thana- POTHIIYA District- Kishanganj

Sah Alam @ Shah Alam S/o- Aftab Village- Halda Gram Panchayat PS-
Pothia, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 21-02-2025 Heard Mr. Mritunjay Kumar, learned counsel for the
petitioner and Mr. Matloob Rab, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 302, 304 (B)/34 of the Indian Penal Code. The charge-sheet bearing C.S. No. 65/24 dated 29.02.2024 has been submitted under Sections 304B/34 of the Indian Penal Code.

3. The case of the prosecution is that the daughter of the informant was married to the petitioner namely, Sah Alam about eighteen months prior to the date of the FIR. It is further alleged that the daughter of the informant was subjected to cruelty on



account of non-fulfillment of dowry demand. It has also been alleged that all the named accused persons brutally assaulted the daughter of the informant, due to which she died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. From perusal of the FIR, it is clear that at the time of occurrence, the petitioner was not present, rather he was at Delhi. In the last portion of the FIR, it is clear that the petitioner has conspired the offence. From perusal of the postmortem report, it transpires that no external injury was found on the person of the deceased. The stage of the trial was called for, from perusal of which, it transpires that out of 20 witnesses 8 have been examined. It is further submitted that the petitioner is languishing in judicial custody since 11.01.2024.

5. Learned APP appearing for the state has opposed the prayer of regular 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 released on bail in connection with Pothia P.S. Case No. 199 of 2023 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of learned Court of Sessions Judge,
Kishanganj.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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