

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86331 of 2024**

Arising Out of PS. Case No.-72 Year-2024 Thana- Madhusudanpur District- Bhagalpur

MD. ARMAN Son of Late Md. Suleman Resident of Mohalla - Rahmat Bagh,  
Police Station - Madhusudanpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                       |
|----------------------|---|-----------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Syed Maslehuddin Ashraf, Sr. Advocate<br>Ms. Homa Yunus, Advocate |
| For the Informant    | : | Mr. Praveen Kumar, Advocate                                           |
| For the State        | : | Mr. Syed Mojibur Rahman, APP                                          |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      31-01-2025                      Heard Mr. Syed Maslehuddin Ashraf, learned Senior  
counsel for the petitioner, Mr. Praveen Kumar, learned counsel  
for the Informant and Mr. Syed Mojibur Rahman, learned APP  
for the State.

2. Petitioner seeks bail, who is in custody since  
10.06.2024, in connection with Madhusudanpur P.S. Case No.  
72 of 2024, F.I.R. dated 09.06.2024 registered for the offences  
punishable under Section 304(B) of the Indian Penal Code.

3. Allegation against the petitioner is that he along  
with other co-accused persons have committed murder the  
deceased due to non-fulfillment of demand of dowry.

4. Learned Senior counsel for the petitioner submits  
that the petitioner carries one more case other than the present  
one in which he is on bail and he has been falsely implicated



in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act or demand of dowry attributed against the petitioner rather there is general and omnibus allegation against the the accused persons including the petitioner and it appears from the F.I.R. itself that the informant has received information that the deceased has committed suicide herself. Learned Senior counsel for the petitioner further submits that co-accused person namely Munni Khatoon @ Bibi Munni who is mother-in-law of the deceased has been granted the privilege of anticipatory bail by this Court vide order dated 05.10.2024 passed in Cr. Misc. No. 65843 of 2024, another co-accused person namely Md. Suleman who is father-in-law of the deceased has been granted bail by this Court vide order dated 25.10.2024 passed in Cr. Misc. No. 77240 of 2024. He further submits that the charge has been framed on 03.01.2025 and the petitioner is in custody since 10.06.2024.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner



and submits that within two years of marriage the present occurrence had taken place and petitioner is the husband of the deceased and apart from the postmortem report suggests that cause of death due to strangulation.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Madhusudanpur P.S. Case No. 72 of 2024, 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 shall remain physically present as directed 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) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his



criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Ibrar//-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

