

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1335 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Md. Mustaj Ali @ Mumtaj Hajam @ Md. Mustaj @ Mumtaj Ali Son of Md.
Mustakim @ Mustakim Hajam Village -Sarewa PS- Bhabhua District- kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aquaib Khan, Advocate
For the State	:	Mr. Kumar Veerendra Narayan, APP
For the Informant	:	Ms. Kiran Kumari Sharma, Advocate
		Mr. Khushboo Kumari, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-04-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the informant. Perused
the case diary.

2. The petitioner seeks bail in connection with
Bhabhua P.S. Case No. 190 of 2024 instituted for the offence
under Sections 304(B) & 34 of the Indian Penal Code.

3. Prosecution case in short is that the daughter of the
informant was done to death at her matrimonial house due to
non-fulfillment of the demand of dowry.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 18-06-2024. Petitioner
bears no criminal antecedent/s, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is the husband of the deceased. There is no specific allegation against the petitioner, rather the allegation is general and omnibus in nature. No consistent material has come forward during the course of investigation. As per postmortem report, opinion regarding cause of death cannot be ascertained but it may allegedly be due to intake of some poisonous substance. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Other witnesses have supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no cogent material against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhabhua



P.S. Case No. 190 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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