

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37400 of 2026

Arising Out of PS. Case No.-274 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Md. Azad S/o Md. Aslam Resident of Village- Pana Chhapra, P.S.- Motipur,
District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Ms. Jyoti Kumari, Advocate
For the Opposite Party : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

3 28-07-2026 Heard Ms. Jyoti Kumari, learned counsel appearing
on behalf of the petitioner and Mr. Umesh Lal Verma, learned
APP for the State.

2. The present application has been filed on behalf of
the petitioner for grant of regular bail in connection with
Motipur P.S. Case No. 274 of 2023, for the offence punishable
under section 304(B) and 34 of the Indian Penal Code.

3. Earlier, the prayer for anticipatory bail of the
petitioner was rejected by a Coordinate Bench of this Hon'ble
Court vide order dated 20.06.2025 passed in Cr. Misc. No.
15657 of 2025.

4. As per the prosecution case, the informant who
happens to be the father-in-law of the petitioner have stated that
the marriage of his daughter was solemnized to this petitioner
on 12.05.2018 and according to Muslim customs in which he



gave Rs. 5 Lakhs cash as gift and also gave ornament and articles worth worth of Rs. 3 Lakh. It is further alleged that the petitioner and other co-accused persons are alleged to have strangled the informant's daughter to death due to non-fulfillment of demand of dowry as bullet motorcycle and a gold chain as dowry.

5. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. There is no direct and specific allegation of demand of dowry or torture rather the allegation is general and omnibus in nature. It is further submitted that the deceased was suffering from mental abnormalities and she was under treatment by psychiatric. Admittedly, it is stated that out of wedlock of deceased and petitioner, two children were born and they are living in the house of petitioner peacefully and prior to this incident no any complain even filed against the petitioner with regard to torture. It is further submitted that at the time of alleged occurrence, petitioner was working as plastering Mistri at Bangalore in construction company and the time he was at Hospet town, Vijay Nagar, Karnataka and when the petitioner got the knowledge of death of the deceased, he rushed from Hyderabad to Patna and a copy of air ticket has been enclosed as



Annexure P/5. It is further submitted that the deceased having suicidal tendency and hang herself in her room at late night and died due to suicide in absence of petitioner. It is further submitted that the informant after realizing his mistake filed a joint compromise petition before Ld. Court of A.C.J.M., West, Muzaffarpur on 05.10.2024. In the present case, charge-sheet has also been filed and charges has also been framed against the petitioner and case was committed to the Sessions as Session Trial No. 822 of 2025. Petitioner is in custody since 10.02.2026 having clean antecedent.

6. Learned APP for the State has vehemently opposed the prayer for bail.

7. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on bail. The petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Addl. Session Judge, Vth, Muzaffarpur/ concerned court in connection with Motipur P.S. Case No. 274 of 2023, subject to following conditions:-

(i) One of the bailors should be family member of the petitioner.



(ii) Petitioner will co-operate in the trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the Court on that date.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Ranjeet/-

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