

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9720 of 2018

Arising Out of PS. Case No.-30 Year-2017 Thana- ISLAMPUR District- Nalanda

Subodh Kumar Son of Suresh Mahto, Resident of Village-Pachloba, P.S.-
Islampur, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 11-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 498A, 307/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act in which Section 304B IPC was later added.

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfilment of demand of dowry and thereafter killed the deceased.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 8.8.2017 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been



implicated in the present case due to mistake of facts. The witnesses in paragraphs 12, 13, 14 and 55 of the case diary stated that the victim (deceased) has committed suicide. It is not a case for an offence under Section 304B IPC.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, 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 learned Additional Sessions Judge-3rd, Hilsa, Nalanda in connection with Islampur P.S. Case No. 30/2017 (Sessions Trial No. 720/2017).

(Sudhir Singh, J)

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