

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23101 of 2019

Arising Out of PS. Case No.-493 Year-2018 Thana- BARAUNI District- Begusarai

PANKAJ KUMAR Son of Shiv Balak Poddar Resident of Village- Harpur,
P.S.- Barauni Refinery, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-05-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in a case instituted for the
offences under Sections 304B/34 of the Indian Penal Code.

Allegation against the petitioner is of committing
torture and thereafter caused death of the victim due to non-
fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 26.10.2018 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. There is no substantive evidence
to suggest his implication in the present case. As per statement



made by the witnesses in paragraphs 42, 43, 44 and 51 of the Case diary, it is evident that the deceased is said to have committed suicide. Hence, no offence under Section 304B IPC is made out. At best, it is a case for an offence under Section 306 IPC.

On behalf of the State and informant, it is submitted that the petitioner is named in the F.I.R.

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 Chief Judicial Magistrate, Begusarai in connection with Barauni Refinery P.S. Case No. 493 of 2018.

(Sudhir Singh, J)

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