

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 25831 of 2020

Arising Out of PS. Case No.-225 Year-2019 Thana- HARNAUT District- Nalanda

KUNDAN KUMAR Son of Sanjay Mahto Resident of Village- Panchshil
Nagar, Harnaut, Police Station- Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Chaudhary
For the Opposite Party/s : Mr.Akbar Ali
Mr. Pramod Kr. Sinha

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

6 11-01-2021 Heard learned counsel for the parties.

This application for regular bail arises out of Harnaut
P.S. Case No. 225 of 2019, disclosing offence punishable under
Sections 302, 120-B of the Indian Penal Code.

The petitioner is husband of the deceased. According
to the prosecution's case, the deceased was at her paternal house
when the petitioner had come there and had pestered her to
return to the matrimonial home. Despite unwillingness, the
deceased allegedly had gone to her matrimonial home with the
petitioner on 03.06.2019. On 04.06.2019, the deceased died. It is
alleged in the FIR lodged by the father of the deceased that the
deceased was killed by her husband and the in-laws.

Though there is no allegation in the FIR of any



demand of dowry during course of investigation, allegation of demand of dowry has also been made. The petitioner is in custody since 06.06.2019.

I have perused the case diary, from which it transpires that when the police reached the place of occurrence the petitioner was present there with the dead body of the deceased.

Learned counsel for the petitioner has submitted that had the petitioner committed such offence, he would have attempted to flee away from the place of occurrence as a natural conduct of an offender. He has further submitted that there is no eye-witness to the occurrence nor any motive has been assigned in the FIR which could have been the reason for killing the deceased.

Learned counsel for the informant has vehemently opposed the prayer for bail

However, considering the facts and circumstance noted above, particularly the fact that the petitioner did not make any attempt to evade the process of law, this application is allowed. Let 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, Nalanda at Bihar Sharif, in Harnaut
P.S. Case No. 225 of 2019.

(Chakradhari Sharan Singh, J)

Rajesh/-

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