

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9266 of 2021

Arising Out of PS. Case No.-356 Year-2017 Thana- DHAKA District- East Champaran

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INKISHORE RAI @ INDRA KISHOR RAI @ ENKISHOR RAY SON OF
MUSHAFIR RAY @ MOSUFIR RAI RESIDENT OF VILLAGE- SHAM
BAKHRI, P.O.- BARA JAY RAM, P.S.- DHAKA, DISTRICT- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Ms.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-03-2021 Heard the learned counsel for the petitioner and Ms.
Anita Kumari Singh, the learned A.P.P. for the State.

The present petition is by way of second attempt
at the behest of the petitioner for grant of bail in connection with
Dhaka PS case no. 356 of 2017 under Section 304B/34 of Indian
Penal Code, inasmuch as his prayer for grant of bail was
rejected earlier vide order dated 03.12.2019, passed in Cr. Misc.
no. 78653 of 2019.

The case of the prosecution is regarding the
petitioner, who is the husband of the deceased victim lady
having killed the daughter of the informant on account of
non-fulfilment of the demand for dowry.

The learned counsel for the petitioner has



referred to the deposition of the informant, who has deposed as P.W.2 before the learned court of 3rd Additional District and Sessions Judge, East Champaran at Motihari in the ongoing Sessions Trial no. 510 of 2019, to show that the informant himself has stated in his cross-examination that there was no demand for dowry, his daughter was mentally disturbed and had committed suicide and he has further stated that after the in-laws of the deceased victim lady had informed the informant about the death of his daughter, he had gone at the in-law's place of his deceased daughter and had attended the last rites of his daughter. It is thus submitted that the deposition of the informant before the learned trial court would show that the petitioner is *prima facie*, innocent. It is further submitted that the petitioner is languishing in custody since 23.11.2017.

The learned A.P.P. for the State does not dispute the aforesaid statement made by the informant before the learned trial court, as is apparent from a copy of the deposition of PW2, annexed to the present petition.

Having regard to the facts and circumstances of the case and considering the statement made by the informant before the learned trial court in the on-going trial as PW2, I deem it fit and proper to enlarge the abovenamed petitioner on



bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-3, East Champaran at Motihari in connection with Dhaka PS case no. 356 of 2017.

(Mohit Kumar Shah, J)

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