

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6600 of 2022

Arising Out of PS. Case No.-272 Year-2020 Thana- SHRIKRISHNAPURI District- Patna

Manik Kumar Shahi S/O Binay Krishna Prasad Shahi resident of- house no. 1, Lane No. 8, Near Mohan Sweets, Anandpuri, P.S.- Krishnapuri, District- Patna, Parmanent R/o village- Manchi, P.S.- Belsand, District- Sitamrhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 27-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Krishnapuri P.S. Case No. 272 of 2020 registered for the offence
under Sections 328, 304(B) and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.10.2020.

The allegation against the petitioner is to cause death
of his wife, who is the daughter of the informant, along with
other family members/co-accused persons, due to non-
fulfillment of demand of dowry.



Learned counsel appearing on behalf of the petitioner submitted that apparently, it is a case of suicide out of family frustration. It is submitted that intention of petitioner, who is the husband of the deceased can safely be gathered, as occurrence came into notice of this petitioner, he rushed to near hospital along with deceased/wife, where she was admitted in one Holy Promise Hospital, at Patna, where she died during course of treatment. It is further submitted that occurrence was informed to parents/close relative of the deceased. While concluding the argument, it submitted that no external and internal injuries were found upon body of the deceased, which may suggest that she was subjected to any physical assault, soon before her death and, moreover, charge-sheet has been submitted without obtaining FSL Report.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as daughter of the informant died during the course of treatment, where charge-sheet has been submitted without FSL Report, in the background of the fact that no external and internal injuries were found, let the petitioner, above named, is directed to be released on bail in connection with Krishnapuri



P.S. Case No. 272 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-IVth, Patna/concerned court, subject to the following conditions:

(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Mukul Prasad Shahi who is the Elder brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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