

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10144 of 2022

Arising Out of PS. Case No.-330 Year-2021 Thana- NOORSARAI District- Nalanda

Sidheshwar Prasad @ Sideshwar Prasad Son Of Sri Ramashray Prasad R/O
Village- Kathauli, P.S.- Noorsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioner and leaned
A.P.P. for the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 304(B),
120(B)/34 of the Indian Penal Code.

The prosecution case, in short, is that the informant
alleges that the marriage of his daughter namely, Simpi Kumari
(deceased) was solemnised with Pawandev Kumar @ Sonu
Kumar on 28.12.2000 as per Hindu rituals. After marriage, the
in-laws always used to torture the daughter of the informant for
dowry. It is further alleged that due to non-fulfillment of dowry,
the in-laws including the petitioner killed her daughter.



Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Further, it is submitted that the said Pawandev Kumar is the son of Deonandan Prasad who is the *Sarhu* of the petitioner and the petitioner has no issue and he lives alongwith his wife, father and brother. It is also submitted that Pawandeo Kumar while, he was studying in the school and college, was residing in the house of the petitioner but the petitioner has never adopted him as his son. It is also submitted that earlier Simpi Kumari was married with Rajiv Kumar who is the elder son of Deonandan Prasad and after sometime she married with the Pawandeo Kumar @ Sonu Kumar. Further, it is submitted that after marriage, Simpi Kumari and Pawandeo Kumar wanted to reside with the petitioner but he flatly refused and after sometime, the said incident was happened. During the course of investigation, it transpires that on the alleged date and time of occurrence, the petitioner was not present in his house and through telephone, he was given the information of the incident. The petitioner is in custody since 24.11.2021, charge-sheet has been submitted in this case and is a person of clean antecedent.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.



Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VII, Nalanda at Biharsharif in connection with Noorsarai P.S. Case No. 330 of 2021.

(Khatim Reza, J)

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