

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16030 of 2022

Arising Out of PS. Case No.-95 Year-2020 Thana- SULTANGANJ District- Bhagalpur

=====

SANJEEV TIWARY @ SANJIV TIWARI Son of Manmohan Tiwary
Resident of Village - Kamarganj, P.s.- Sultanganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Ms. Aprajita
		Mr. Animesh Kumar
For the Opposite Party/s :		Mr. Raj Kishore Singh
		Mr. Sabal Kumar Jha

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 30-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 304B read with 34 of the Indian Penal Code.

As per the prosecution case, the informant's daughter was married to the petitioner Sanjeev Tiwari. She gave birth to a female child. The petitioner had illicit relationship with another girl. On being objected , the informant's daughter was assaulted



by her husband. The petitioner and the co-accused used to demand four-wheeler as dowry and due to non-fulfillment of the said demand, the petitioner and the co-accused hanged her to death.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on mere suspicion. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is the husband of the deceased and he neither demanded dowry nor tortured her. The petitioner is in custody since 19.05.2020.

Learned A.P.P. for the State as well as learned counsel for the informant has vehemently opposed the bail petition of the petitioner by submitting that the petitioner has strangled his wife due to non-fulfillment of demand of dowry which also gets support from the post-mortem report.

Considering the aforesaid facts and circumstances of the case as well as the period of detention, the petitioner is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge XII, District- Bhagalpur, in connection with Sultanganj P.S. Case No. 95 of 2020, with a condition:-



1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled by the concerned Court.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

U		T	
---	--	---	--

