

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 58245 of 2021

Arising Out of PS. Case No.-199 Year-2020 Thana- BARHIYA District- Lakhisarai

Sonu Kumar Son of - Late Bhagwan Singh Resident of Village- Dani tola
Barhiya, P.S.- Barhiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Adv.
	:	Mr. Devendra Kumar Sinha, Sr. Advocate
For the Opposite Party/s	:	Mr. Braj Kishore PD, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

6 28-11-2022 Let the defect(s), if any, be removed within two weeks from today.

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

The petitioner seeks regular bail in connection with Barhiya P.S. Case No. 199 of 2020, lodged under Sections 304(B)/201/34 of the Indian Penal Code.

As per the prosecution case, the informant who is the father of the deceased has submitted that the husband's family used to torture and assault his daughter for demand of dowry, continuously. On 31.08.2020 he received information that his daughter was killed by her in-laws' family. Informant immediately reached there but found the house of daughter closed and none of the family members were present. With this allegation that they all killed his daughter, informant filed the present case in which he has given the name of the entire family.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. Learned counsel also submits that the matrimonial life of daughter of the informant was happy and it is due to this reason, she has two kids and the said occurrence is basically an accident but on the instigation of the enemy co-villagers, the present case has been instituted by the informant. Learned counsel further submits that the antecedent of the petitioner is clean and he is in custody since 04.02.2021. He also submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail and submits that it is a case of Section 304 (B) of I.P.C. and petitioner is the husband.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant the bail to the petitioner and, therefore, the bail petition is hereby rejected.

However, liberty is hereby granted to the petitioner that he may renew his prayer for bail **6 months** from the date of framing of charge.

(Dr. Anshuman, J.)

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