

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5560 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- DUMRA District- Sitamarhi

Suvesh Das Son Of Sri Shivnath Das Resident Of Village - Kumhra
Bishanpur, P.S.- Dumra, District - Sitamarhi.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaidehi Raman Prasad Singh

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 304(B)/34 of the
Indian Penal Code.

It is a case of dowry death due to non
fulfillment of dowry demand.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and petitioner,
being the husband, has falsely been implicated in the
present case. There is no eye witness of the alleged



offence. There is no prior complaint with respect of harassment and torture to the deceased. It is further submitted that deceased has committed suicide when the petitioner was out of his house. From perusal of the postmortem report, it appears that there is no mark of assaulting over the body of deceased. From perusal of para 20 of the case diary, in which statement of father of the deceased has been mentioned and it is evident that the information about deceased was furnished by the petitioner himself to the family members of the deceased. The father and mother of the deceased has not registered the present case rather the F.I.R. has been lodged by the uncle of deceased. Moreover, the petitioner is languishing in judicial custody since 18.07.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail and submitted that petitioner, being the husband of the deceased, has ample responsibility to keep his wife with honor and



dignity, to which he failed. His marriage was solemnized
2 years ago and death caused in unnatural
circumstances.

Having heard learned counsel for the parties
and taking into consideration the facts and
circumstances of the case as well as period of custody,
this Court is inclined to enlarge the petitioner on bail.
The above named petitioner is directed to be enlarged on
bail in connection with Dumra P.S. Case No. 318 of
2022 on furnishing bail bond of Rs. 10,000/- (Rupees
ten thousand) with two sureties of the like amount each
to the satisfaction of the learned C.J.M., Sitamarhi.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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