

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4838 of 2023

Arising Out of PS. Case No.-412 Year-2022 Thana- AMARPUR District- Banka

Rakesh Mandal Son Of Narayan Prasad Singh Resident Of Village - Berma
Pachhiyari Tola, P.S.- Amarpur, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-08-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304(B) and 34 of the Indian Penal Code.

Prosecution case relates to commission of murder of the informant's daughter due to non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is the husband of the deceased due to which he has falsely been implicated in this case. It is further submitted that there is no prior complaint with respect to dowry demand or torture. It is also submitted that as per the postmortem report,



the cause of death of the deceased has been preserved for the want of viscera and from perusal of the Viscera report, there is no metallic, alkaloidal, glycosidal, pesticidal and volatile poison could be detected in the body the deceased. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 19.08.2022.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that the petitioner is the husband of the deceased and the death occurred within seven years of marriage.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Amarpur P.S. Case No. 412 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Banka.

(Sunil Kumar Panwar, J)

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