

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5602 of 2023

Arising Out of PS. Case No.-152 Year-2020 Thana- MUSRIGHRARI District- Samastipur

Arvind Kumar Gujjar Son Of Ramshray Ray @ Ram Shakal Ray R/O Village
- Baghi, P.S.- Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 21-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304(B), 34 and 498(A) of the Indian Penal Code.

3. It is case of dowry death of the informant's daughter due to non-fulfillment of dowry demand.

4. 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. There is no prior complaint in respect of dowry demand, harassment and assaulting. As per postmortem report, doctor has not opined the cause of death of the deceased and opinion reserved for FSL which seems that the



FIR and postmortem report stands contradictory. From perusal of the trial Court report dt. 22.05.2023, it appears that there is no reference of receipt of FSL report in the entire record. It is further submitted that the petitioner has voluntarily surrendered before the Court below on 05.1.2022 and since then, he is languishing in judicial custody.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Musrigharari P.S. Case No. 152 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ VIII, Samastipur.

(Sunil Kumar Panwar, J)

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