

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6932 of 2023

Arising Out of PS. Case No.-363 Year-2022 Thana- FALKA District- Katihar

Prakash Kumar Son Of Hari Mahaldar @ Hari Singh Resident Of Village-
Rajendra Park Dumaria, P.S.- Kursela, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 307, 328, 498(A), 504, 34 of the Indian Penal Code.

The prosecution case in nutshell is that the accused persons including this petitioner subjected the informant to cruelty and torture due to non-fulfillment of dowry demand and ultimately the informant was ousted from her matrimonial home by the accused persons. It is further alleged that petitioner along with co-accused administered poisonous sweet to the victim due to which she became unconscious



later she was treated at Sadar Hospital.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He is servant/staff of the co-accused Suman Kumar Mandal, who is the husband of the informant due to which he has falsely been implicated in this case. Petitioner is neither a family member nor any overt-act has been committed by him. It is further submitted that the FIR has been lodged after 05 days delay of the alleged occurrence. From perusal of the FIR neither any evidence of medical report nor any evidence of demand has been brought as such no offence at all make out against the petitioner. He is languishing in judicial custody since 06.11.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as well judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Falka (Pothia) P.S. Case No. 363 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 S.D.J.M., Katihar.

(Sunil Kumar Panwar, J)

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