

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11874 of 2023

Arising Out of PS. Case No.-41 Year-2022 Thana- MUFFASIL District- West Champaran

SANJAY MUKHIYA Son of Nagendra Mukhiya R/o Fatuchhapar, Katuwa,
P.s- Bairiya Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2023 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 302, 201/34 of the IPC and Charge sheet has been submitted Sections 302, 304B, 201/34 of the Indian Penal Code.

As per FIR, the allegation against the co-accused persons including this petitioner is that they committed murder of the informant's sister 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. There is no prior complaint of torture and dowry demand attributed against the petitioner or his family members by the deceased. During investigation not a single witness supported the prosecution version. The deceased committed suicide due to family dispute and as per postmortem report, which is mentioned in para-19 of the case diary, wherein doctor opined cause of death is asphyxia due to hanging. It is further submitted that the petitioner is languishing in judicial custody since 01.04.2022.

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 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 Bettiah Muffasil P.S. Case No. 41 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 District and Sessions
Judge-Ivth, Bettiah West Champaran.

(Sunil Kumar Panwar, J)

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