

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12236 of 2023

Arising Out of PS. Case No.-607 Year-2022 Thana- WARISLIGANJ District- Nawada

GOURI SHANKAR Son of Mithilesh Prasad R/v- Fatha, P.S.- Warisaliganj,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 11-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

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

3. As per allegation in the FIR, daughter of the informant was married to the petitioner in the year 2018 and soon after marriage, petitioner along with his family members started to torture due to non-fulfillment of additional dowry demand and ultimately she was killed by them.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is husband of the



deceased and has been falsely implicated in this case. He has three children from the said wedlock. He had never demanded any thing from the deceased or her family members. At the time of death of petitioner's wife, he was at Hawarah to earn his livelihood. Prior to the alleged incident, there is no complain in respect of torture or harassment made by her husband or any of his any family members at her matrimonial home. Information was provided to the informant about demise of her daughter and also they have participated in her funeral. During investigation, no one has supported the prosecution story. As per FSL report, no metallic and other poisonous substance was detected. Petitioner is languishing in judicial custody since 16.10.2022 without any fault.

The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/-



(Rs. ten thousand only) with two sureties of the like amount
each to the satisfaction of the learned ACJM-IV, Nawada in
connection with Warsaliganj P.S. Case No. 607 of 2022.

(Sunil Kumar Panwar, J)

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