

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12638 of 2023

Arising Out of PS. Case No.-146 Year-2018 Thana- TARABARI District- Araria

Nitesh Kumar Jha, S/O Ashok Jha, R/v- Sharanpur Ward No. 02, P.S.-
Tarabari, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-06-2023 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 304B, 120B of the Indian Penal Code.

According to F.I.R., the prosecution case, in brief, is that all the accused persons including the petitioner being the husband of informant's deceased daughter, have been subsequently put the informant's daughter physically and mentally harassment for dowry demand and thus committed dowry murder by giving poisonous substance.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. There is no prior complain of torture, harassment and cruelty with deceased by the petitioner. In fact, the deceased has solemnized love marriage with the petitioner which caused annoyance to her parents and due to regular humiliation by them, the deceased committed suicide by taking poison herself. It is also submitted that during investigation, the witness has not supported the prosecution case. After completing the investigation the petitioner was not sent up for trial but learned court below has taken cognizance after finding prima facie case true against the petitioner. The petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 30.11.2022.

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 period of 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 Tarabari P.S. Case No. 146 of 2018 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Sessions Judge, Araria.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

