

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11992 of 2023

Arising Out of PS. Case No.-128 Year-2019 Thana- OBRA District- Aurangabad

MUNNA SAO @ MUNNA PRASAD Son of Shivnarayan Saw Resident of
Village- Aranda, P.S.- Obra, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 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 304B/34 of the Indian Penal Code.

The prosecution case, in brief, is that the petitioner along with his family members used to torture and assault the informant's daughter due to non-fulfillment of dowry demand. Ultimately, the daughter of the informant was killed by all the accused persons including the petitioner by administering poison.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is brother-in-law of the deceased due to which he has falsely been implicated in the present case. The petitioner has



never demanded dowry and he has no concern mess and business of the deceased as well as her husband and lives separately from them. It is further submitted that the husband of the deceased is already in custody upon whom, it was his responsibility to keep his wife well. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 11.12.2022.

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 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 Obra P.S. Case No. 128 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad (Bihar).

(Sunil Kumar Panwar, J)

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