

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13091 of 2023

Arising Out of PS. Case No.-255 Year-2022 Thana- PANAPUR District- Saran

Muhammad Nesar @ Md. Nesar S/O Md. Nazib R/V- Bakwan, P.O.- Rasauli,
P.S.- Panapur, District- Saran At Chapra

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-07-2023 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, r/s 34 of the Indian Penal Code along with Sections 3/4 of the Dowry Prohibition Act.

As per prosecution case, it is a case of dowry death 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 husband of the deceased and merely on the basis of suspicion he has falsely been implicated in this case. The deceased is suffering from many ailments especially relating to mental abnormality and due to which she committed



suicide and as per Postmortem Report, doctor opined that cause of death is asphyxia due to hanging. There is no prior complaint lodged against the petitioner of physical misbehave and dowry demand. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 14.10.2022.

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 Panapur P.S. Case No. 255 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 Chief Judicial Magistrate-II, Saran at Chapra.

(Sunil Kumar Panwar, J)

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