

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17572 of 2023

Arising Out of PS. Case No.-1271 Year-2022 Thana- DANAPUR District- Patna

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Rakesh Alias Rakesh Kumar Alias Balmiki Tiwari, Son of Late Raj Kumar Tiwari, Resident of Mohalla Subhas Nagar, Danapur, Police Station Danapur, District Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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 498(A), 304(B) and 120(b) of the Indian Penal Code.

The allegation against the petitioner along with others is of killing the daughter of the informant due to non-fulfillment of dowry demand.

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 any prior



complaint with regard to harassment, torture and assault to the deceased against the petitioner. Petitioner is the husband of deceased and they are blessed with three children out of their wedlock, which shows a cordial relationship between the husband and the deceased. As per postmortem report, the doctor opined that the death is caused by Asphyxia due to hanging, which does not corroborate with the prosecution case. Good sense has been prevailed between the parties and a joint compromise petition has been filed, annexed as Annexure 2 of this petition. Moreover, the petitioner has no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 15.11.2022.

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 Danapur P.S. Case No. 1271 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-I, Danapur.

(Sunil Kumar Panwar, J)

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