

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17119 of 2023

Arising Out of PS. Case No.-436 Year-2022 Thana- BELAGANJ District- Gaya

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Jasbant Kumar Son Of Hriday Paswan R/O Village- Panari, P.S.- Belaganj,
District- Gaya (Bihar)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per allegation in the FIR, the informant alleged that her daughter was married with the petitioner earlier and thereafter, the petitioner along with his family members subjected her to cruelty due to non-fulfillment of dowry demand. Ultimately, on 19.8.2022 the informant came to that her daughter was committed murder by the petitioner along with his family members. Thereafter, the present FIR was lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. The petitioner is husband of the deceased due to which he has falsely been



implicated in this case. There is no prior complaint against the petitioner regarding physically torture of abuse with the deceased. It is also submitted that several witnesses of this case stated during investigation that the petitioner was not present at the alleged time & date of the occurrence which is evident from perusal of para 38 & 39 of the case diary. As a matter of fact, the deceased herself committed suicide by hanging. As per postmortem report, the doctor has not opined regarding cause of death of the deceased. The petitioner has got no criminal antecedent and languishing in judicial custody since 24.8.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Belaganj P.S. Case No. 436 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 Chief Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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