

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20768 of 2022**

Arising Out of PS. Case No.-88 Year-2021 Thana- BARIYARPUR District- Munger

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ROSHAN KUMAR S/o Manoj Mandal Resident of Village- Gandhipur, P.S.-
Bariarpur, Distt- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 498A, 304B and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act

Learned counsel for the petitioner submits that the petitioner is in custody since 24.07.2021 and is a person with clean antecedent.

The informant alleges that the petitioner informed him on phone that his daughter had fallen in the bathroom due to which she died, but when he reached the matrimonial home, he found his daughter dead but had not died on account of fall rather she was killed by petitioner along with other accused



persons as they used to demand Rs. 1,00,000/- by way of dowry.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case being the husband, it is next submitted that the deceased was suffering from liver and kidney problem for which she was being treated and was even admitted in National Diagnostics Centre, Munger and the doctor had also operated her. Learned counsel further submits that the victim died on account of illness which also gets support from the postmortem report.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

At this stage, the learned counsel for the petitioner seeks permission to withdraw the regular bail application with liberty to renew his prayer for bail after framing of charge.

Permission is accorded.

The bail application is dismissed for withdrawn.

(Satyavrat Verma, J)

GauravSinha/-

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