

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32288 of 2023

Arising Out of PS. Case No.-484 Year-2020 Thana- PHULPARAS District- Madhubani

SANTOSH MALLIK Son of Late Yogendra Mallik Resident of village -
Navtol, P.S. - Phulparas, Distt. - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-08-2023 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), 201, 120(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 five years ago and thereafter, the petitioner along with his family members subjected her to cruelty due to non-fulfillment of dowry demand. Ultimately, on 4.10.2020 the informant came to that her daughter was killed by the petitioner along with his family members. Thereafter, the present FIR has been lodged.

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



been implicated in this case. During course of investigation, this fact came into light through the statement of one of the witnesses vide para-22 of the case diary that the deceased became sick and thereafter, she was taken to hospital but she died due to Diarrhoea. The allegation against the petitioner is false and fabricated. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Moreover, he is languishing in judicial custody since 4.6.2021.

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 Phulparas P.S. Case No. 484 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Jhanjharpur, Madhubani.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

