

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32590 of 2023**

Arising Out of PS. Case No.-78 Year-2020 Thana- POTHIIYA District- Kishanganj

Usman S/O Late Chainuddin R/O Village- Baghmara Gorukhal, P.S- Pothia,  
Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      26-07-2023                      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, 34 of the Indian Penal Code.

As per prosecution case, it is a case of dowry death due to non-fulfillment of dowry demand and the petitioner is alleged to be husband of the deceased.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The informant was not an eye witness of the alleged occurrence and merely on the basis of suspicion the petitioner has falsely been implicated in this case. During investigation no



consistent material has come out against the petitioner and as per FSL Report, no Metallic, Alkaloidal, Glycosidal, Pesticidal and volatile poison could be detected. As per Annexure-2, a compromised petition has been filed in this case. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 27.02.2023.

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 Pothia P.S. Case No. 78 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 Chief Judicial Magistrate, Kishanganj.

**(Sunil Kumar Panwar, J)**

Manishkumar/-

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