

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38140 of 2023

Arising Out of PS. Case No.-11 Year-2022 Thana- WARISLIGANJ District- Nawada

Utpal Kant @ Pintu Kumar Son Of Pramod Prasad Resident Of Village-
Baghi (CHAKVAY), Ps- Warsaliganj, Distt- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 16-10-2023 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 304(B) and 34 of the Indian Penal Code.

It is a case of causing death of the informant's daughter (deceased) by the petitioner by administering poisonous material due to non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is the husband of the deceased due to which he has falsely been implicated in this case. It is further submitted that there is no prior complaint with respect to dowry demand, harassment, torture and assaulting against the petitioner with the deceased. There is a daughter child out of the said wedlock. It is further submitted that



since petitioner being husband tried his best to save the life of his wife but she succumbed and petitioner himself informed the informant regarding death of deceased which is admitted in the F.I.R. Postmortem was also conducted but cause of death in absence of F.S.L. report of viscera could not be ascertained. The matter has been settled between the parties and compromise petition is annexed as Annexure-2 of this petition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 14.02.2023.

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 Warsaliganj P.S. Case No. 11 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 Judicial Magistrate-1st Class, Nawada/Successor Court.

(Sunil Kumar Panwar, J)

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