

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36792 of 2023

Arising Out of PS. Case No.-233 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

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KUNDAN SAH S/O BIJENDRA SAH R/O Village. Kishunganj Majarpatti,
ward no. 6, PS. Udakishsungaj, Dist. Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh
For the Opposite Party/s : Mr. Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-06-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in Sessions Trial No. 335 of 2022 arising out of
Udakishunganj P.S. Case No. 233 of 2022 dated 19.07.2022
registered for the offences punishable u/ss 498A, 364 read with
section 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and the co-

accused persons are alleged to have tortured the informant's

daughter due to non-fulfillment of demand of a motorcycle and



of Rs. two lakhs as dowry. It is further alleged that they abducted the informant's daughter.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the husband of the informant's daughter. The petitioner neither demanded any dowry nor tortured her. There is general and omnibus allegation against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.08.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that her dead body was found in a river.

Considering the aforesaid facts and circumstances of the case the allegation being general and omnibus, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhepura in connection with Sessions Trial No. 335 of 2022 arising out of Udakishunganj P.S. Case No. 233 of 2022, with the condition/s:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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