

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44576 of 2023

Arising Out of PS. Case No.-291 Year-2022 Thana- ADAPUR District- East Champaran

KAMLESH KUMAR Son of Yogendra Sahani Resident of Village -
Laxmipur, P.S.- Adapur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-11-2023 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 304B/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that the petitioner along with others used to torture and assault the informant's daughter due to non-fulfillment of dowry demand. It is further alleged that on 8.10.2022, the informant came to know that his daughter was committed murder by strangulation.

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 investigation, no consistent



evidence has come against the petitioner. It is also submitted vide para 10 of the petition that good sense has been prevailed between the parties. Only on the basis of suspicion, this case has been lodged. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Moreover, the petitioner is languishing in judicial custody since 6.5.2023.

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 period 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 Adapur P.S. Case No. 291 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, Raxaul at Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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